

Vol. XIX

Part I



Bombay Legislative Council Debates

Official Report.

Friday, February 18, 1927

[Price—Annas 5 or 6d.]

BOMBAY
PRINTED AT THE GOVERNMENT CENTRAL PRESS
1927

Obtainable from the Superintendent of Government Printing and Stationery,
Bombay, from the High Commissioner for India, 42 Grosvenor Gardens,
S.W. 1, London; or through any recognised Bookseller.

Agenda

Notice of amendment* has been received from Rao Bahadur R. R. Kale, M.L.C.

- (4) Bill No. II of 1927 (A Bill further to amend the Bombay Land Revenue Code, 1879)—*First Reading*.
- (5) Bill No. III of 1927 (A Bill to provide for the establishment and the better regulation of Cotton Markets in the Bombay Presidency)—*First Reading*.
- (6) Bill No. IV of 1927 (A Bill to amend the City of Bombay Improvement Trust Transfer Act, 1925)—*First Reading*.
- (7) Bill No. V of 1927 (A Bill further to amend the Indian Stamp (Bombay Amendment) Act, 1922)—*First Reading*.
- (8) Bill No. VI of 1927 (A Bill further to amend the Bombay City Municipalities Act, 1925)—*First Reading*.
- (9) Bill No. VII of 1927 (A Bill further to amend the Bombay Rent (War Restrictions) Act, 1918)—*First Reading*.

XIII. GOVERNMENT MOTION :

By the Honourable Sir Chunilal Mehta, Kt.,

“That the Report of the Committee on Public Accounts on the Audit and Appropriation Reports on the Accounts of the Bombay Presidency for the year 1924-25 be recorded.”

XIV. PRIVATE BILLS :

Notices of Motions for leave to introduce the following Bills have been received from :—

Mr. J. C. Swaminarayan, M.L.C.

- (i) A Bill further to amend the Bombay Local Boards Act, 1923.
- (ii) A Bill further to amend the Gujarat Talukdars' Act, 1888.
- (iii) A Bill further to amend the Bombay City Municipalities Act 1925.

Mr. R. G. Pradhan, M.L.C.

A Bill to amend the President's Salary Act, 1924.

Mr. J. Addyman, M.L.C.

A Bill further to amend the Bombay Prevention of Gambling Act, 1887.

Rao Saheb D. R. Patil, M.L.C.

A Bill further to amend the Bombay Abkari Act, 1878.

Rao Bahadur R. R. Kale

A Bill to amend the President's Salary Act, 1924.

XV. MOTIONS TO AMEND STANDING ORDERS :

Motion No. 1* of 1927—by Mr. R. G. Pradhan, M.L.C.

* Printed as Appendix to this Agenda.

XVI. DISCUSSION OF MATTERS OF GENERAL PUBLIC INTEREST—NOTICES OF RESOLUTIONS HAVE BEEN RECEIVED FROM THE FOLLOWING HONOURABLE MEMBERS :—

(The names are arranged according to the order of priority determined by ballot)

1. Rao Bahadur R. R. Kale, M.L.C.
2. Mr. S. A. Sardesai, M.L.C.
3. Mr. Amritlal Dalpatbhai Sheth, M.L.C.
4. Rao Bahadur Bhimbhai R. Naik, M.L.C.
5. Khan Saheb Ghulam Nabi Shah Moujali Shah, M.L.C.
6. Sardar Bhasaheb *alias* Dulabawa Raisingji, Thakor of Kerwada M.L.C.
7. Mr. J. C. Swaminarayan, M.L.C.
8. Mr. Lalji Naranji, M.L.C.
9. Mr. L. M. Deshpande, M.L.C.
10. Mr. V. N. Jog, M.L.C.
11. Mr. F. J. Ginwalla, M.L.C.
12. Mr. H. B. Shivdasani, M.L.C.
13. Mr. B. R. Nanal, M.L.C.
14. Mr. B. V. Jadhav, M.L.C.
15. Rao Saheb D. P. Desai, M.L.C.
16. Sayed Muhammed Kamil Shah Kabul Mahammad Shah, M.L.C.
17. Mr. Noor Mahomed, M.L.C.
18. Mr. K. S. Firodea, M.L.C.
19. Mr. Gordhandas I. Patel, M.L.C.
20. Mr. Shankarrao Jayaramrao Zunzarrao, M.L.C.
21. Mr. M. S. Khuhro, M.L.C.
22. Rao Saheb D. R. Patil, M.L.C.
23. Mr. Jivabhai R. Patel, M.L.C.
24. Mr. Rajmal Lakhichand, M.L.C.
25. Mr. M. D. Karki, M.L.C.
26. Mr. N. E. Navle, M.L.C.
27. Mr. R. G. Pradhan, M.L.C.
28. Khan Saheb Abdul Latif Haji Hajrat Khan, M.L.C.

(A detailed list of the resolutions arranged according to the order of priority determined by ballot will be printed and placed on the Council Tables during the Session.)

XVII. PAPERS PRESENTED TO THE COUNCIL—

- (1) Resolution* of Government in the General Department No. 152, dated the 6th September 1926, regarding the reorganisation of Local Self-Government, Salsette.

* Kept in the Secretary's Office.

Agenda

- (2) Resolution* of Government in the Finance Department, No. 700, dated the 30th September 1926, regarding the functions of the Public Accounts Committee.
- (3) Resolutions of Government in the General Department regarding certain Municipalities. (Placed on the Council table* with reference to section 221 of the Bombay City Municipalities Act, 1925.)
- (4) Proceedings* of the meeting of the Finance Committee, July 1926.
- (5) Finance Department* note No. 5211-D, dated the 11th January 1927, regarding Bombay Children's Aid Society: Alterations to premises of old jail at Umerkhadi.
- (6) Finance Department* note No. 5097-A, dated the 21st January 1927, regarding additional provision for Special Commissions of Enquiry.
- (7) Finance Department* note No. 5235-A, dated the 27th January 1927, regarding purchase of buildings for the liquor house at Pen.
- (8) Finance Department* note No. 4888-E, dated the 3rd February 1927, regarding Medical Relief Scheme.
- (9) Finance Department* note No. 5200-Bud., dated the 7th February 1927, regarding the construction of the Sawarna-Bhedpada Road in the West Nasik Division.
- (10) Rules * under the Bombay Children Act, 1924 (Placed on the Council Table with reference to sub-section (4) of section 52 of the Act).
- (11) Finance Department * Note No. 5259-A, dated the 10th February 1927, regarding the construction of a second head regulator over the Western Nara.

APPENDIX TO THE AGENDA

AMENDMENTS TO BILLS

Bill No. XIX of 1926 (A Bill further to amend the Aden Civil and Criminal Justice Act, 1864)

Notice has been received of the following amendment from the Honourable Mr. J. E. B. Hotson, C.S.I., O.B.E., I.C.S.

In Bill No. XIX of 1926 (A Bill further to amend the Aden Civil and Criminal Justice Act, 1864):—

(1) After clause 9 insert the following:—

“ 10. To section 19 of the said Act the following shall be added, namely:—

An appeal from any judgment or order of a special Magistrate appointed under section 18-A, or of a Bench of Magistrates appointed under section 18-B, when exercising the powers of a magistrate of the second or third class, where such appeal is allowed by the Code of Criminal

Amendment
of Section
19 of Act II
of 1864.

* Kept in the Secretary's Office.

Agenda

Procedure, 1898, shall lie to the Judicial Assistant to the Resident, Aden."

(2) Renumber clauses 10, 11 and 12 as 11, 12 and 13 respectively.

AMENDMENTS TO BILLS

Bill No. I of 1927 (A Bill further to amend the Dekkhan Agriculturists' Relief Act, 1879)

Notice has been received of the following amendment from Rao Bahadur R. R. Kale, M.L.C. :—

(Notice of an amendment of principle of Bill No. I of 1927)

In section 34 which precedes section 35 (now sought to be amended) and which deals with the appointment of Village Munsiffs whose jurisdiction is sought to be extended by the proposed amendment, after the word "Appoint" add the following words:—

"Any Village Panchayat."

MOTION No. I OF 1927

Under Standing Order IX of the Standing Orders of the Bombay Legislative Council, notice of the following amendment has been received from Mr. R. G. Pradhan, M.L.C. :—

In Standing Order XI, rule 1, for the words "Fourteen days prior to the first of the days allotted for the voting of demands for grants under Rule 27", substitute the following words, viz. :—"Ten days prior to the first of the days allotted for the general discussion of the Budget under Rule 27".

The Council met at the Town Hall, Bombay, on Friday, the 18th February 1927, at 2 p.m., being the first day of the meeting of the Third Council, pursuant to Section 72B (2) of the Government of India Act.

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR

SECRETARY TO THE LEGISLATIVE COUNCIL: I have to announce to the Council the order of His Excellency the Governor appointing a Chairman to preside over the Council. In accordance with the usual practice members will receive the order standing. The order is as follows:—

“The office of President of the Bombay Legislative Council being vacant, and there being no person authorised and able to preside over the said Council, in pursuance of sub-rule (2) of rule 3 of the Bombay Legislative Council Rules, I appoint Khan Bahadur Shah Nawaz Khan Ghulam Murtaza Khan Bhutto, C.I.E., O.B.E., M.L.C., to be the Chairman to preside over the said Council until a President has been duly elected and my approval to the election has been announced to the Council.

Government House,
Bombay, 17th February 1927. }

LESLIE WILSON,
Governor.”

The Chairman (Khan Bahadur Shah Nawaz Khan Ghulam Murtaza Khan Bhutto, Larkana District) then took the oath, ascended the dais bowed and occupied the chair.

The CHAIRMAN: The first business before the Council is the swearing-in of members.

(The Secretary called out the members for swearing-in.)

The following members then made the prescribed oath or affirmation of allegiance to His Majesty the King-Emperor and took their seats in the Council:—

The Honourable Sir Chunilal Mehta.
The Honourable Mr. Cowasji Jehangir.
The Honourable Mr. J. L. Rieu.
The Honourable Mr. J. E. B. Hotson.
The Honourable Sir Ghulam Hussain Hidayatallah.
The Honourable Dewan Bahadur Harilal D. Desai.
Khan Saheb Abdul Latif Haji Hajrat Khan.
Mr. Joe Addyman,
Moulvi Rafiuddin Ahmad,
Mr. Allahbaksh walad Khan Saheb Haji Mahomed Umar.
Dr. B. R. Ambedkar,
Mr. Haribhai Jhaverbhai Amin,
Mr. F. G. H. Anderson,
Rao Bahadur Shanmukhapa Ningapa Angadi,
Mr. Ramchandra Santuram Asavle,

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Mr. Atmaram Mahadev Atavane,
Mr. Balak Ram,
Mr. Madhavrao Gopalrao Bhosle,
Mr. Janmahomed Khan Walimahomed Khan Bhurgri,
Khan Bahadur Sher Muhammad Khan Karam Khan Bijarani,
Sardar Mahaboobali Khan Mahamad Akbarkhan Biradar,
Mr. Sitaram Keshav Bole,
Mr. D. R. H. Browne,
Mr. Narso Balkrishna Chandrachud,
Mr. G. E. Chatfield,
Sir Vasantao Dabholkar,
Mr. Gulam Ahmad Dagumiya,
Mr. Daudkhan Shalebhoy,
Mr. Ali Mahomed Khan Dehlavi,
Mr. Balubhai Tribhovandas Desai,
Mr. Jeramdas Bohechardas Desai,
Rao Saheb Dadubhai Purushottamdas Desai.
Mr. Laxman Mahadeo Deshpande,
Dr. Mohannath Kedarnath Dixit.
Mr. J. Ghosal,
Mr. Ghulam Haidar Shah walad Sahibdino Shah
Khan Saheb Ghulam Nabi Shah Moujali Shah
Dr. Manchershah Dhunjibhai Guilden.
Mr. Framroz Jamshedji Ginwalla,
Mr. Narayan Ramji Gunjal,
Mr. C. S. C. Harrison,
Mr. G. W. Hatch,
Mr. Bhaskarrao Vithojirao Jadhav,
Mr. Jairamdas Doulatram,
Khan Bahadur Jan Mahomed Khan walad Khan Bahadur Shah
Passandkhan.
Mr. Divansaheb Abasaheb Janvekar,
Khan Bahadur Haji Imambaksh Khan Ghulam Rasul Khan Jatoti
Mr. Haji Ibrahim Haji Mahomed Jitekar,
Mr. Vishwanath Narayan Jog,
Mr. W. Ellis Jones,
Mr. S. C. Joshi,
Rao Bahadur Raoji Ramchandra Kale,
Rao Bahadur Siddappa Totappa Kambli,
Mr. Manjunath Devarbhat Karki,
Sir Joseph Kay,
Mr. Muhammad Ayub Shah Muhammad Khuhro.
Mr. Hooseinbhoy Abdullahbhoy Lalljee.
Mr. Lalji Naranji,
Mr. Shamrao Pandurangrao Ligade,
Mr. Natvarlal G. Majmudar,
Khan Saheb Alibhai Mahomedbhai Mansuri
Mr. J. R. Martin,
Mr. Mir Mahomed Baloch Shaikh.

Mr. J. Monteath,
 Sardar Gangadharrao Narayanrao Mujumdar.
 Mr. Wamanrao Sitaram Mukadam,
 Mr. Phirozsha Jehangirji Murzban,
 Rao Bahadur Bhimbhai Ranchhodji Naik,
 Mr. Bhaskar Ramchandra Nanal,
 Mr. Kharshed Framji Nariman,
 Mr. Noor Mahomed,
 Mr. Frank Oliveira,
 Mr. Albert Clifford Owen,
 Mr. Bhojsing Gurdinomal Pahalajani,
 Mr. H. L. Painter,
 Mr. Hari Vinayak Pataskar,
 Mr. Gordhandas I. Patel,
 Mr. Jivabhai Revabhai Patel,
 Rao Saheb Dongarsing Ramji Patil,
 Mr. E. W. Perry,
 Mr. Frederick William Petch,
 Mr. Govind Balvant Pradhan,
 Mr. Ramchandra Ganesh Pradhan,
 Mr. Hoosenally M. Rahimtoola,
 Mr. Rajmal Lakhichand,
 Mr. Sangappa Ammeengouda Sardesai,
 Sayed Muhammad Kamil Shah Kabul Muhammad Shah,
 Mr. Sayed Munawar.
 Mr. Shaikh Abdul Aziz Abdul Latif,
 Mr. Shankarrao Jayaramrao Zunzarrao,
 Mr. Amritlal Dalpathbhai Sheth,
 Mr. Hassamal Baharmal Shivdasani,
 Mr. J. W. Smyth,
 Mr. Purushottamrai G. Solanki.
 Mr. Venkatrao Anandrao Surve,
 Mr. Jethalal Chimanlal Swaminarayan,
 Mr. I. H. Taunton,
 Sardar Bhasaheb *alias* Dulabawa Raisinghji, Thakor of Kerwada,
 Mr. J. P. Thornber,
 Mr. C. W. A. Turner,
 Mr. Cursetjee Nowrojee Wadia,
 Rao Saheb Ramchandrarao Vithalrao Vandekar,
 Mr. G. Wiles,
 Mr. Geoffrey Leonard Winterbotham.

(Each member after taking the oath shook hands with the Chairman and signed the register kept below the dais.)

ELECTION OF THE PRESIDENT

The CHAIRMAN: Has every member present taken the oath? If so, the Council will now proceed to the election of the President.

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[The Chairman]

The following nominations for the election of the President have been received before noon of the 17th February 1927 :—

	Proposed by	Seconded by
1. Rao Saheb Dadubhai P. Desai.	1. Mr. F. J. Ginwala.	1. Rao Saheb R. V. Vandeekar.
	2. Mr. W. S. Mukadam.	2. Mr. J. P. Thornber.
	3. Mr. H. J. Amin.	3. Mr. M. D. Karki.
	4. Mr. J. B. Desai.	4. Mr. Jivabhai R. Patel.
2. Mr. Ramchandra Ganesh Pradhan.	Dr. B. R. Ambedkar.	Mr. R. S. Asavale.
3. Mr. B. G. Pahala- jani.	Dr. P. G. Solanki.	Mr. S. K. Bole.
4. Mr. A. M. K. Dehlavi.	1. Mr. Hooseinbhoy A. Lalljee.	1. Mr. B. V. Jadhav.
	2. Mr. Hoosenally M. Rahimtoola.	2. Haji Ibrahim M. Jitekar.
	3. Khan Saheb Abdul Latif Haji Hajarat- khan.	3. Mr. S. P. Ligade.

Typed ballot-papers containing the names of these candidates will be distributed to members. Members are to put a cross at the place provided for the purpose in the ballot-paper against the name of the candidate for whom they wish to vote and place their ballot-papers in the ballot-box. Members are not required to put their signatures on the ballot-paper. For the purpose of counting votes, I appoint—

- (1) Mr. J. Addyman, and
- (2) Sardar G. N. Mujumdar, as scrutineers.

(Ballot-papers were then distributed to members. Honourable members filled them in and placed them in the ballot-box.)

The CHAIRMAN : Has every person who wishes to vote, voted ? If so, I will now ask the scrutineers to count the votes.

(The scrutineers then proceeded to the division lobbies with the ballot-box.)

The CHAIRMAN : Order, order. The result of the voting is as follows :—

Rao Saheb D. P. Desai	..	..	.. 19 votes
Mr. R. G. Pradhan	..	..	.. 8 ..
Mr. B. G. Pahalajani	..	..	.. 12 ..
Mr. A. M. K. Dehlavi	..	..	.. 65 ..

As Mr. Dehlavi gets a clear majority over all the candidates put together he is declared duly elected under sub-section (1) of section 72C of the Government of India Act, subject to the approval of His Excellency the Governor.

[The Chairman]

Before I adjourn, I would like to know the views of the House, particularly of the Leader of the House, as to whether all the members are desirous that we should meet earlier to-morrow. If this is what the House desires, then I would decide accordingly.

The Honourable Sir CHUNILAL MEHTA : So far as this side of the House is concerned, we will be entirely guided by the wishes of the non-official members.

MOULVI RAFIUDDIN AHMAD : I suggest that it would be better if we meet at 12 o'clock to-morrow.

The CHAIRMAN : Does the House approve of the suggestion to meet here at 12 o'clock instead of at 2? (Honourable members indicated assent.) All right, then we adjourn till 12 o'clock noon to-morrow, Saturday, the 19th February 1927.

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Saturday, the 19th February 1927

The Council re-assembled at the Town Hall, Bombay, at 12 noon on Saturday, the 19th February 1927, the Chairman, Khan Bahadur SHAH NAWAZ KHAN GHULAM MURTAZA KHAN BHUTTO, C.I.E., O.B.E., presiding :

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Saheb
 ADDYMAN, Mr. J.
 AHMAD, MOULVI RAFIUDDIN
 ALLAHBAKSH walad Khan Saheb HAJI MAHOMED UMAR, Mr.
 AMBEDKAR, Dr. B. R.
 AMIN, Mr. H. J.
 ANDERSON, Mr. F. G. H.
 ANGADI, Rao Bahadur S. N.
 ASAYLE, Mr. R. S.
 ATAVANE, Mr. A. M.
 BALAK RAM, Mr.
 BECHAR, Mr. N. A.
 BHOSLE, Mr. M. G.
 BHURGRI, Mr. J. W.
 BHUTTO, Khan Bahadur S. N.
 BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
 BIRADAR, Sardar MAHABOOBALI KHAN
 BOLE, Mr. S. K.
 BROWNE, Mr. D. R. H.
 CHANDRACHUD, Mr. N. B.
 CHATFIELD, Mr. G. E.
 DABHOLKAR, Sir VASANTRAO
 DAGUMIYA, Mr. G. A.
 DAUDKHAN SHALEBHOY, Mr.
 DEHLAVI, Mr. A. M. K.
 DESAI, the Honourable Dewan Bahadur HARILAL D.
 DESAI, Mr. B. T.
 DESAI, Mr. J. B.
 DESAI, Rao Saheb D. P.
 DESHPANDE, Mr. L. M.
 DIXIT, Dr. M. K.
 GHOSAL, Mr. J.
 GHULAM FAIDAR SHAH, Mr.
 GHULAM HUSSAIN, the Honourable Sir
 GHULAM NABI SHAH, Khan Saheb
 GILDER, Dr. M. D.
 GINWALA, Mr. F. J.
 GUNJAL, Mr. N. R.
 HARRISON, Mr. C. S. C.
 HATOH, Mr. G. W.

HOTSON, the Honourable Mr. J. E. B.
JADHAV, Mr. B. V.
JAIRAMDAS DOULATRAM, Mr.
JAN MAHOMED KHAN, Khan Bahadur
JANVEKAR, Mr. D. A.
JATOI, Khan Bahadur HAJI IMAMBAKSH KHAN
JEHANGIR, the Honourable Mr. COWASJI
JITEKAR, Mr. HAJI IBRAHIM HAJI MAHOMED
JOG, Mr. V. N.
JONES, Mr. W. E.
JOSHI, Mr. S. C.
KALE, Rao Bahadur R. R.
KAMBLI, Rao Bahadur S. T.
KARKI, Mr. M. D.
KAY, Sir JOSEPH
KHUHHO, Mr. M. S.
LALLJEE, Mr. H. A.
LALJI NARANJI, Mr.
LIGADE, Mr. S. P.
MAJMUDAE, Mr. N. G.
MANSURI, Khan Saheb A. M.
MARTIN, Mr. J. R.
MEHTA, the Honourable Sir CHUNILAL
MIR MAHOMED BALOOH SHAIKH, Mr.
MONTEATH, Mr. J.
MUJUMDAR, Sardar G. N.
MUKADAM, Mr. W. S.
MURZBAN, Mr. P. J.
NAIK, Rao Bahadur B. R.
NANAL, Mr. B. R.
NARIMAN, Mr. K. F.
NOOR MAHOMED, Mr.
OLIVEIRA, Mr. F.
OWEN, Mr. A. C.
PAHALAJANI, Mr. B. G.
PAINTER, Mr. H. L.
PATASKAR, Mr. H. V.
PATEL, Mr. G. I.
PATEL, Mr. J. R.
PATIL, Rao Saheb D. R.
PERRY, Mr. E. W.
PRADHAN, Mr. G. B.
PRADHAN, Mr. R. G.
RAHIMTOOLA, Mr. HOOSENALLY M.
RAJMAL LAKHICHAND, Mr.
RIEU, the Honourable Mr. J. L.
SARDESAI, Mr. S. A.
SAYED MUHAMMAD KAMIL SHAH
SAYED MUNAWAR, Mr.

SHAIKH ABDUL AZIZ ABDUL LATIF, Mr.
 SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
 SHETH, Mr. A. D.
 SHIVDASANI, Mr. H. B.
 SMYTH, Mr. J. W.
 SOLANKI, Dr. PURUSHOTTAMRAI G.
 SURVE, Mr. V. A.
 SWAMINARAYAN, Mr. J. C.
 TAUNTON, Mr. I. H.
 THAKOR OF KERWADA, the
 THORNBUR, Mr. J. P.
 TURNER, Mr. C. W. A.
 WADIA, Mr. C. N.
 WANDEKAR, Rao Saheb R. V.
 WILES, Mr. G.
 WINTERBOTHAM, Mr. G. L.

The CHAIRMAN : Swearing-in of new members.

The following honourable member made the prescribed affirmation of allegiance to His Majesty the King-Emperor, and took his seat in the Council :—

Mr. Naraindas Anandji Bechar.

The CHAIRMAN : I have to announce to the House the approval of His Excellency the Governor of Bombay to the election of the President. The Private Secretary to His Excellency writes as follows :—

“ With reference to your letter No. 197 of the 18th February 1927, I am directed to inform you that His Excellency the Governor of Bombay has this day signified his approval of the election by the Bombay Legislative Council, at its meeting held on the 18th day of February 1927, of Mr. Ali Mahomed Khan Dehlavi, Bar.-at-Law, M.L.C., as the President of the said Council.”

The CHAIRMAN : I now invite the Honourable Mr. Dehlavi to come and take the chair.

(The Honourable Mr. A. M. K. DEHLAVI then occupied the Chair.)

The Honourable the PRESIDENT : Before I proceed with the business of the House, I think it is my duty to thank the honourable members for electing me to the Chair. I am sure I have the confidence of the honourable members here with the help of which I would be able to carry through the onerous duties with which I am charged, and with their support I hope I would be able to maintain the traditions and the dignity of this House. I feel that my duties as the President are onerous and responsible, particularly when I find that I step into the Chair which has been occupied by two brilliant predecessors of mine, but I am certain that I will have the support of every section of this House in carrying on those duties.

Before I proceed to the first business on the Agenda paper to-day, I have to dispose of a matter which was placed in the hands of the Secretary to the Legislative Council by the honourable member for Eastern Sind,

[The President]

Mr. Jairamdas Doulatram. He has asked leave to move the adjournment of the Council to discuss a definite matter of urgent public importance, namely, the situation created by the recent failure of crops in several parts of the Presidency owing to locusts and other causes. The honourable member was obliged, in the absence of the President, to place this with the Secretary. I was informed of this yesterday; I had a talk with the honourable member on the subject, and I take it as his having handed in the notice to me. It is, therefore, my first duty to consider the question as to whether I can give him leave to move the adjournment of the House. I have considered the whole question carefully, and I find that Rules 11 and 12 of the Bombay Legislative Council Rules govern the question. I would ask the House to bear with me when I read out those rules, and particularly bear in mind the words of importance in every section of the rules. Rule 11 lays down :

"A motion for an adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the President."

Here, the important thing I have to consider is whether this is a matter of urgent public importance. Sub-rule (ii) of Rule 12 lays down that the motion must be restricted to a specific matter of recent occurrence. Therefore, we have to consider whether this is a matter of recent occurrence.

Again, sub-rule (iv) of Rule 12 says :

"The motion must not anticipate a matter which has been previously appointed for consideration."

It has to be considered whether sub-rule (iv) of Rule 12 applies to this particular case.

As to the question of recent occurrence, I find that the honourable member relies on the reports of newspapers on the subject. I have been able to find out that the newspapers have been writing on this subject from the beginning of January, and the House will see that when this subject was taken up by the newspapers in various parts of the Presidency in the beginning of January, the actual occurrence must have taken place even before that. When we find that the newspapers have been taking notice of this matter from the beginning of January, it cannot be said, for the purposes of sub-rule (iv) of Rule 12, to be a matter of recent occurrence.

The second point is whether it is an urgent matter. Now, the urgency is to be decided by considering whether the matter occurs at a period which does not give the honourable member moving for the adjournment an opportunity of tabling a resolution and bringing the matter up for discussion before the House. In this case, the question has been before the public long before the time for the last day for tabling resolutions, which was the 2nd of February. Therefore, on that ground too I find I cannot allow the motion.

But there is one more important point which I think is the chief one to be considered. We must all recognise that the question the honourable member wishes to discuss by this adjournment is an important one

[The President]

and which is causing great anxiety in the country. It is a question which should be considered, I allow, but adjourning the House and postponing all other work to discuss this matter would be really taking away the valuable time of the House. We know that in the budget discussion we will have three days for the general discussion on the budget, and twelve days thereafter for the discussion on the demands for grants, which would give ample opportunity and time for honourable members to discuss this question, particularly when I know that everybody is thinking about it and everybody is anxious to talk about it. I would therefore be saving public time if I did not allow the motion under these circumstances. I therefore disallow it.

Mr. JAIRAMDAS DOULATRAM (Eastern Sind): Since you, Sir, have preferred to give a ruling on this question, I believe I must accept it.

Mr. AMRITLAL D. SHETH (Ahmedabad District): May I know whether it is a ruling given or permission withheld? I submit, if it is a question of deciding whether permission should be given or not, then the House should have before it both sides of the question.

The Honourable the PRESIDENT: I disallow the motion; I could not do so until I came into the Chair. I have therefore given the ruling in the House.

The next business is the election of the Deputy President, and after that the honourable House has to elect members for two committees, the Finance Committee and the Public Accounts Committee. Before I proceed to the question of the election of the Deputy President, I would ask honourable members to hand in their nominations to the Public Accounts Committee before 1 p.m.

Rao Bahadur R. R. KALE (Satara District): Sir, before the election to the Public Accounts Committee takes place, I wish to draw your attention to rule 33 which says that a Public Accounts Committee shall be constituted as soon as may be after the commencement of each financial year. So, I do not know whether the motion for appointing a Public Accounts Committee is not premature. Rule 33 says:

"As soon as may be after the commencement of each financial year, a Committee on Public Accounts shall be constituted for the purpose of dealing with the audit and appropriation accounts of the Province and such other matters as the Finance Department may refer to the Committee."

My submission is that the motion is rather premature. The commencement of the financial year has not yet occurred, and therefore the Public Accounts Committee cannot be constituted at this time.

The Honourable the PRESIDENT: Will the Honourable the Finance Member try to explain the point.

The Honourable Sir CHUNILAL MEHTA: I recollect, Sir, the same question was raised last year. With your permission I would ask the Council Secretary to look up the debates. My recollection is that this point was fully discussed last year and decided by the President.

The Honourable the PRESIDENT : The Honourable the Finance Member would like to express his views on the point a little later.

The Honourable Sir CHUNILAL MEHTA : I may of course speak without having the reports of last year before me. But so far as I remember the point was that the Public Accounts Committee would not actually function—would not actually be constituted—till after the first of April. It may be elected now, but it would not get to work ; and in that sense it would not be constituted till after the 1st April. If we do not elect the Public Accounts Committee now, we will have to wait till the July session.

MOULVI RAFTUDDIN AHMAD : Why ?

The Honourable Sir CHUNILAL MEHTA : Because our session ends before the first of April, it will not be possible to elect the committee after the 1st of April. The point the honourable member for Satara raised was that we could not constitute the committee till after the beginning of the financial year which is the 1st of April, so that we will have to wait till the July session for its election. I think that it was decided last year that the election could take place now but that the committee should not function till after the 1st of April. But as I said I speak only from memory and we shall have the question verified as soon as the debates on the subject are made available.

Rao Bahadur R. R. KALE (Satara District) : Sir, I am taking my stand on the wording of the rule which is peremptory. The constitution may be made by either election or nomination ; the constitution is at once made. I can understand that it does not function now but the rule says that " As soon as may be after the commencement of each financial year a committee on Public Accounts shall be constituted." I submit it may be election or nomination. Election is a particular method of constitution. As soon as the election is made the committee is constituted.

Apart from the legal aspect of the question, the reason assigned by the Honourable the Finance Member is that there will be no time for the constitution of the committee till the July session. I do not understand exactly whether the functioning of the Public Accounts Committee has to begin earlier than next session. Even on the merits of the question I submit that after two months' time the House will be in a better position to judge who takes greater interest in public affairs and who will be the best to be elected to that committee. There is no urgency about the constitution of this committee. Honourable members of this House do not exactly know who takes greater interest and who likes to serve on that committee. So, having regard to the wording of the rule and the reasons I have given above I think that the constitution of the committee cannot be made until 1st of April.

The Honourable Mr. COWASJI JEHangIR : Sir, as the Honourable the Leader of the House has informed you, this point was discussed and it was held that the word 'constitute' does not mean the same as the word 'elect.' You can elect a committee at any time but it is not constituted till it meets. Therefore it is not illegal nor does it controvert

[Mr. Cowasji Jehangir]

this rule to elect the committee now ; but it cannot meet till after the 1st of April. There is nothing illegal about it. This point was raised and I think that was the ruling of the chair.

As regards the question of convenience raised by the honourable member for Satara, whether it would be more convenient to elect the committee to-day or at the next session is a matter entirely between the Honourable the Leader of the House and the honourable member. I am only mentioning the interpretation of this section as it has been interpreted in the past.

Mr. JAIRAMDAS DOULATRAM (Eastern Sind) : Sir, if I mistake not this Public Accounts Committee which is proposed to be appointed to-day will deal with the accounts of the year 1926-27. That means the financial year with which this Public Accounts Committee has to deal commenced on 1st April 1926. If that is so, I think the interpretation put by my honourable friend for Satara will not be correct. The words " financial year " mean the financial year beginning from 1st April 1926.

MOULVI RAFIUDDIN AHMAD (Central Division) : I do not know, Sir, whether the Honourable the Leader of the House recollects that the last Public Accounts Committee was elected on the first day of the session. But I am not prepared to accept the interpretation put upon the rule by the Honourable the General Member : that constitution is different from election. I am not prepared to accept that definition. But I do believe that the House will be more consistently acting with the letter of the law as well as its spirit if the committee is constituted a little later on. There will be no harm done. I have not heard from the Honourable the Leader of the House the disadvantage of postponing this election. If there is no disadvantage I really do not see why the spirit and the letter of the law should be violated ; and besides we have not heard the ruling and its reasons given by the last President.

The Honourable the PRESIDENT : Much as I would value any light thrown on this point, I would however wish honourable members to be brief when they explain.

Mr. G. B. PRADHAN (Thana and Bombay Suburban Districts) : I say that the only point that has been made is a point of order. It is not a matter on which any elaborate discussion is necessary. I think we ought to submit to the ruling of the Chair ; whatever interpretation the Chair puts upon the rule, that interpretation we ought to accept. It is not a matter which can be debated in the open House.

Mr. N. A. BECHAR (Karachi City) : Mr. President, the two members on the Government side who have expressed their views have totally failed to point out whether there would be any inconvenience or difficulty caused to the business of this House or to the Government if the election of these various committees took place in the July session. If they are able to point out that it will greatly assist the work of this House if the committee is appointed just now, then I think my honourable friend will waive the small technical point raised by him. As he has rightly pointed out, his main interest in seeking to get the matter postponed to

Mr. F. J. GINWALLA (Bombay City, North) : Sir, has the motion been put before the House and passed ?

The Honourable the PRESIDENT : I thought I had placed the motion before the House.

Mr. F. J. GINWALLA : No, but it was not declared as passed.

The Honourable the PRESIDENT : I took it that it has been passed by the House. But if there is any dissentient voice, that may be declared by raising of hands. As there is none against it, I declare the motion as passed.

Mr. NOOR MAHOMED (Hyderabad District) : Sir, have we to put a cross against the names on the paper just distributed ?

The Honourable the PRESIDENT : I am just going to explain it. The method of voting is a very simple one. Honourable members have to vote for 12 members, and give one vote to each member of their choice. The choice is shown by putting a cross against that name.

MOULVI RAFIUDDIN AHMAD : One vote only ?

The Honourable the PRESIDENT : One vote for each member on the list. For instance, no honourable member can put all the twelve crosses against one name, but one cross against each name and for twelve names, if they choose twelve out of it or less than that.

(Honourable members put the ballot-papers in the ballot-box.)

The Honourable the PRESIDENT : Order, order. The papers are all in and I appoint as scrutineers the honourable member Mr. Lalji Naranji and the honourable member Moulvi Rafiuddin Ahmad. The result will be declared on Monday. We now proceed to the election of members for the Public Accounts Committee.

Mr. F. J. GINWALLA : The honourable member Mr. Lalji Naranji is a candidate himself ; I think it would be better if some one is appointed who is not a candidate himself.

The Honourable the PRESIDENT : Well, I can appoint the honourable member Mr. G. I. Patel and the honourable member Moulvi Rafiuddin Ahmad.

Mr. G. I. PATEL : Sir, I will be leaving Bombay shortly, after an hour or so.

Mr. JAIRAMDAS DOULATRAM : Mr. President, I do not think any objection need be taken on the ground that the scrutineers are themselves candidates.

The Honourable the PRESIDENT : I do not know why honourable members are taking that objection, although it is legitimate to raise the point. I would appoint the honourable member Mr. Jairamdas Doulatram and the honourable member Moulvi Rafiuddin Ahmad.

Order, order. The next business is to proceed to the election of the Public Accounts Committee, and for that I may inform the honourable House that His Excellency the Governor has determined that the Public

[The President]

Accounts Committee shall consist of twelve members as in previous years, of whom eight are to be elected by the non-official members of the Council in accordance with rule 33 (2). I might inform honourable members that the rules framed in connection with this election will apply. In order, however, to refresh the memory of honourable members I will read what the rules are which apply to this election :

" 1. The voting will be by ballot.

2. Every voter is entitled to one effective vote only ; when voting he should place the figure 1 against the name of the candidate who is his first choice. He is also recommended to put figures 2, 3, 4, . . . up to 8 against the names of the other candidates in order of his preference.

3. A ballot paper is deemed invalid—

(1) if it bears any identifying mark ;

(2) if no figure 1 or first preference is shown on it ;

(3) if the figure 1 is shown against the names of more than one candidate ; or

(4) if it is unmarked or void for uncertainty. "

That will be the procedure. When the papers will be distributed, I shall appoint the scrutineers. The official members do not vote.

Order, order. Ballot-papers are in the ballot-box and I have got to appoint the scrutineers. I appoint Mr. Hooseinbhoj Lalji, Mr. Balak Ram and Mr. Pahalajani as scrutineers. The result will be declared on Monday. That finishes the work of the day.

Now I have also to announce that His Excellency will address the House on Monday at 2-30 p.m. and I would desire that honourable members would be in their seats by 2-15 p.m.

There is again another proposal which has reached me, and I wonder if the House is agreeable to that. It is this that according to the Agenda for Monday we have the presentation of the Budget after His Excellency has addressed the House. Would the House like to adjourn for tea and then come back and the Budget be presented, or have the Budget presented immediately and in the middle break for tea and come back again ? I would like to know if the House is agreeable to one or the other.

Mr. G. I. PATEL : Sir, I think the latter proposal would suit us.

The Honourable Sir CHUNILAL MEHTA : Mr. President, if I may say a word on this, I have consulted several honourable members opposite as to the best time that would be convenient to them. It would be very inconvenient to adjourn for tea when the speech was only half delivered, and it has been suggested that after His Excellency has addressed the House we should adjourn for tea and meet at four o'clock, and then go on with the Budget speech until it is finished which might be about half past five.

MOULVI RAFIUDDIN AHMAD : Sir, I am entirely in agreement with the Honourable the Leader of the House.

Mr. R. G. PRADHAN : Sir, this is such a small matter that your ruling will be enough.

The Honourable the PRESIDENT : I understand that the House is agreeable to the proposal of the Honourable the Leader of the House. We therefore shall take up the presentation of the Budget after tea on Monday.

The House will now adjourn to 2-15 on Monday the 21st February 1927.

Vol. XIX

Part III



Bombay Legislative Council Debates

Official Report

Monday, February 21, 1927

[Price—Annas 5 or 6d.]

BOMBAY
PRINTED AT THE GOVERNMENT CENTRAL PRESS
1927

Obtainable from the Superintendent of Government Printing and Stationery
Bombay, from the High Commissioner for India, 42 Grosvenor Gardens
S.W. 1, London, or through any recognised Bookseller

Monday, the 21st February 1927

The Council re-assembled at the Town Hall, Bombay, at 2-15 p.m., on Monday, the 21st February 1927, the Honourable the President, Mr. A. M. K. DEHLAVI, Bar-at-Law, presiding

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Saheb
 ADDYMAN, Mr. J.
 AHMAD, MOULVI RAFIUDDIN
 ALLAUBAKSH *wulad* Khan Saheb HAJI MAHOMED UMAR, Mr.
 AMBEDKAR, Dr. B. R.
 AMIN, Mr. H. J.
 ANDERSON, Mr. F. G. H.
 ANGADI, Rao Bahadur S. N.
 ASAVLE, Mr. R. S.
 ATAVANE, Mr. A. M.
 BALAK RAM, Mr.
 BECHAR, Mr. N. A.
 BHOSLE, Mr. M. G.
 BHURGRI, Mr. J. W.
 BHUTTO, Khan Bahadur S. N.
 BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
 BIRADAR, SARDAR MAHABOOBALI KHAN
 BOLE, Mr. S. K.
 BROWNE, Mr. D. R. H.
 CHANDRACHUD, Mr. N. B.
 CHATFIELD, Mr. G. E.
 CHIKODI, Mr. P. R.
 DABHOLKAR, Sir VASANTRAO
 DAGUMIYA, Mr. G. A.
 DAUDKHAN SHALEBHOY, Mr.
 DESAI, the Honourable Dewan Bahadur HARILAL D.
 DESAI, Mr. B. T.
 DESAI, Mr. J. B.
 DESAI, Rao Saheb D. P.
 DESHPANDE, Mr. L. M.
 DIXIT, Dr. M. K.
 DUGUID, Mr. A.
 FIRODEA Mr. K. S.
 GHOSAL, Mr. J.
 GHULAM HAIDAR SHAH, Mr.
 GHULAM HUSSAIN, the Honourable Sir
 GHULAM NABI SHAH, Khan Saheb
 GILDER, Dr. M. D.
 GINWALLA, Mr. F. J.

GUNJAL, Mr. N. R.
 HARRISON, Mr. C. S. C.
 HATCH, Mr. G. W.
 HOTSON, the Honourable Mr. J. E. B.
 JADHAV, Mr. B. V.
 JATRAMDAS DOULATRAM, Mr.
 JAN MAHOMED KHAN, Khan Bahadur
 JANVEKAR, Mr. D. A.
 JATOI, Khan Bahadur HAJI IMAMBAKSH KHAN
 JEHANGIR, the Honourable Mr. COWASJI
 JITEKAR, Mr. HAJI IBRAHIM HAJI MAHOMED
 JOG, Mr. V. N.
 JONES, Mr. W. E.
 JOSHI, Mr. S. C.
 KALE, Rao Bahadur R. R.
 KAMBLI, Rao Bahadur S. T.
 KARKI, Mr. M. D.
 KAY, Sir JOSEPH
 KHURRO, Mr. M. S.
 LALJI NARANJI, Mr.
 LALLJEE, Mr. HOOSEINBHOY ABDULLABHOY
 LIGADE, Mr. S. P.
 MAJMUDAR, Mr. N. G.
 MANSURI, Khan Saheb A. M.
 MARTIN, Mr. J. R.
 MEHTA, the Honourable Sir CHUNILAL
 MIR MAHOMED BALOCH SHAIKH, Mr.
 MONTEATH, Mr. J.
 MUJUMDAR, Sardar G. N.
 MUKADAM, Mr. W. S.
 MURZHAN, Mr. P. J.
 NAIK, Rao Bahadur B. R.
 NANAL, Mr. B. R.
 NARIMAN, Mr. K. F.
 NOOR MAHOMED, Mr.
 OLIVEIRA, Mr. F.
 OWEN, Mr. A. C.
 PAHALAJANI, Mr. B. C.
 PAINTER, Mr. H. L.
 PATASKAR, Mr. H. V.
 PATEL, Mr. G. I.
 PATIL, Mr. J. R.
 PATIL, Rao Saheb D. R.
 PERRY, Mr. E. W.
 PETCH, Mr. F. W.
 PRADHAN, the Honourable Mr. G. B.
 PRADHAN, Mr. R. G.
 RAHIMTOOLA, Mr. HOOSENALLY M.
 RAJMAL LAKHICHAND, Mr.
 RIEU, the Honourable Mr. J. L.

SARDESAI, Mr. S. A.
 SAYED MUHAMMAD KAMIL SHAH
 SAYED MUNAWAR, Mr.
 SHAIKH ABDUL AZIZ ABDUL LATIF, Mr.
 SHANKARRAO JAYARAMRAO ZUNZARRAO. Mr.
 SHETH, Mr. A. D.
 SHIVDASANI, Mr. H. B.
 SMYTH, Mr. J. W.
 SOLANKI, Dr. PURUSHOTTAMRAI G.
 SURVE, Mr. V. A.
 SWAMINARAYAN, Mr. J. C.
 TAUNTON, Mr. I. H.
 THAKOR OF KERWADA, the
 THORNBEE, Mr. J. P.
 TURNER, Mr. C. W. A.
 VANDEKAR, Rao Saheb R. V.
 WADIA, Mr. C. N.
 WILES, Mr. G.
 WINTERBOTHAM, Mr. G. L.

The Honourable the PRESIDENT: Order, order. Swearing-in of new members.

The following honourable members made the prescribed oath or affirmation of allegiance to His Majesty the King Emperor, and took their seats in the Council :—

Mr. Panditapa Rayapa Chikodi.
 Mr. Alan Duguid,
 Mr. Kundanmal Sobhachan Firodea.

The Honourable the PRESIDENT: Order, order. I have now to announce the approval by His Excellency of the election of the Deputy President. The Secretary has received a letter from the Private Secretary to His Excellency the Governor, which reads as follows :—
 “ Sir,

With reference to your letter No. 203 dated the 19th February 1927. I am directed to inform you that His Excellency the Governor of Bombay has this day signified his approval of the election by the Bombay Legislative Council, at its meeting held on the 19th day of February 1927, of Rao Bahadur Siddappa Totappa Kambli, M.L.C., as the Deputy President of the said Council.”

FINANCE COMMITTEE

The Honourable the PRESIDENT: Order, order. I have now to announce the result of the election of the Finance Committee as under :

Mr. Hooseinbhoy Abdullabhoy Lalljee	..	65 votes.
Mr. H. B. Shivdasani	..	65 ..
Mr. Lalji Naranji	..	59 ..
Mr. B. G. Pahalajani	..	59 ..
Rao Bahadur R. R. Kale	..	56 ..
Mr. Gulam Ahmad Dagumiya Wasif	..	54 ..
Mr. W. S. Mubadani	..	54 ..

Khan Saheb Abdul Latif Haji Hajrat Khan ..	52 votes.
Mr. R. G. Pradhan	51 „
Mr. Natvarlal G. Majmudar	49 „
Mr. M. S. Khuhro	49 „
Dr. B. R. Ambedkar	47 „

These are the elected members.

PUBLIC ACCOUNTS COMMITTEE

The Honourable the PRESIDENT: The next announcement is that of the result of the election of the Public Accounts Committee :—The following names are in the order of preference :—

Mr. Allahbakhsh *walad* Khan Saheb Haji Mahomed Umar,
 Mr. Jairamdas Doulatram,
 Rao Saheb D. R. Patil,
 Mr. Lalji Naranji,
 Mr. Hoosenally M. Rahimtoola,
 Dr. B. R. Ambedkar,
 Moulvi Rafiuddin Ahmad,
 Mr. N. R. Gunjal.

The Honourable the PRESIDENT: We expect His Excellency at 2-30, and as there is no other business till then, the House will have to wait till I leave the Hall to meet His Excellency.

His Excellency the Governor was met by the President on his arrival. A procession of chobdars, His Excellency's staff, the President of the Council (the Honourable Mr. A. M. K. Dehlavi) and His Excellency the Governor passed slowly up the Hall to the dais at 2-30 p.m.

His Excellency's staff stood in a semi-circle at the back of the dais behind the two chairs, His Excellency the Governor being on the right and the Honourable the President on the left.

The Honourable the PRESIDENT: Order, order. His Excellency will be pleased to address the House.

HIS EXCELLENCY'S SPEECH

Rising to address the Council, His Excellency said :—

GENTLEMEN, I am glad to have this opportunity of welcoming the new Council, the second that has been elected during my tenure of office. It is an advantage that, of the members who have been elected to this Council, as many as 51 are members of the last Council, and several have now come back to the Council for the third time. The experience which these gentlemen have gained by their work in previous Councils will be of the greatest use, both to their constituencies and the Council, and will, I am confident, ensure a continuance of those traditions which the previous Councils had established.

It is a matter of congratulation that the last elections to this Council evoked much greater interest and enthusiasm among the electors than the two previous ones. Every possible endeavour was made by Government

to ensure that the electoral-rolls should be as complete and accurate as possible. As evidence of this, I may mention that the number of electors on the rolls of the non-Muhammadan constituencies of the Presidency rose from 504,729 in 1923 to 622,768 in 1926. The number on the rolls of the Muhammadan constituencies rose from 112,140 in 1923 to 136,417 in 1926. There was a similar increase in the number of European voters from 7,496 to 10,430. That much greater interest was taken by the electors during the last election than on the previous occasion is clear from the fact that over 529,000 votes were cast at the last election as against a little over 297,000 in 1923.

On Friday last honourable members elected a new President, and I desire to offer to the Hon'ble Mr. Dehlavi my sincere congratulations on his election to this most important post. The Legislative Council of Bombay has been indeed fortunate in the Presidents which it has had in its six years' existence to preside over its proceedings; and both to the late Sir Narayan Chandavarkar and to Sir Ibrahim Rahimtoola the Council owes a very deep debt of gratitude. These two gentlemen maintained the proceedings of the Council at a very high standard; both of them carried out the duties of President in a manner which reflected honour on themselves, and which ensured the conduct of debate on the highest plane. You, Sir, are fortunate in having the advantage of following two such eminent Presidents, and I have no doubt that you will safeguard the privileges of the Council and the rights of honourable members, and, at the same time, secure for honourable members free but decorous debate in the same manner as your predecessors in the Chair have done in the past.

Honourable members are aware that an important and sudden change in Government has had to be made owing to the appointment by the Secretary of State of Dr. Paranjpye to be a member of his Council. I feel sure that all honourable members will join in congratulating Dr. Paranjpye on his selection for this high office, and will realise that not only will India benefit by the ability and experience which he will bring to the Council, but that Bombay will have on the Secretary of State's Council a representative fully acquainted with the needs of the Presidency. My Government has suffered a great and unexpected loss, but while Dr. Paranjpye's departure is a loss to us, his services in London will be a great gain to India in general, and to Bombay in particular—particularly during the next five years, which are fraught with so much importance.

I have had, at very short notice, to appoint a new Minister to take charge of the Excise and Agricultural portfolios. His task in dealing with the Budget demands for these departments cannot but be a difficult one, having undertaken the work at a period such as this; but I am sure I can rely on honourable members to give my Honourable Colleague that indulgence to which he is so fully entitled under the circumstances.

As this is the budget session, the work of honourable members will be devoted mainly to the consideration and discussion of the Budget; and such legislation only as is urgent will be put before you. The most important bill to be considered is the Stamp Act Amendment Bill, which is a financial measure continuing the Indian Stamp Bombay

Amendment Act of 1922. No fresh taxation is sought to be imposed, and this measure only brings the duties levied in this Presidency into line with the duties levied in other provinces. I have no doubt that, realising, as you do, the financial situation of the Presidency, you will agree as to the necessity for this measure.

Of the other few bills which will be placed before honourable members for consideration, the bill relating to the administration of civil and criminal justice at Aden is an important one, having for its object the strengthening of the judiciary at Aden by the appointment of a Judicial Assistant to the Resident. I have watched, with some anxiety, the growth of the volume of work in Aden, both judicial and administrative, and it is very necessary that the Resident should be relieved of some of his judicial duties, and that an experienced judicial officer should be placed in charge of the judicial work. I have no doubt that the objects of the bill will commend themselves to your favourable consideration.

It is a matter of great regret that there has been, since I last addressed the Council, little or no improvement in the financial situation. It is an unfortunate fact that the long continued depression in trade, of which we all hoped we had seen the worst last year, has been responsible for a considerable falling off of the revenue from Stamps. In Agriculture, also, the hopeful prospects to which, at one time, we looked forward, have not been fulfilled, and under this head we have to record a large decrease in revenue. Excise, again, the third main source of revenue, is also beginning to feel the effects of the policy on which the Minister, with the full approval of this Council, has embarked. The total result is, as honourable members are all by this time aware, that the excess of expenditure over revenue in the current year which we expected would be not more than 28 lakhs, has risen to 75 lakhs.

While I do not wish, in any way, to minimise the seriousness of this position I desire to remind the Council that a considerable portion of this deficit, namely, 30 lakhs, is, in fact, merely the transfer from one head of our general balances to another head, which is the Famine Reserve. This Reserve has now reached the very large figure of nearly 2½ crores; and as the Public Accounts Committee has very properly observed, it would appear that the time has now come to reconsider the necessity of setting aside this large sum annually, and whether we should not be justified in putting some of the money into other activities. Having regard to these considerations, my Government has addressed the Government of India with a view to a reduction of the annual assignment by 30 lakhs. This will afford much needed relief to the provincial revenues, without in any way endangering the legitimate provision against famine.

Coming, now, to the Budget for the next year, while our revenues remain approximately the same (though certain windfalls on account of adjustments for past years have now ceased), the efforts of all departments, assisted by the advice of the Special Officer appointed to investigate the possibilities of retrenchment, have reduced the estimates of expenditure very considerably below the figures of the current year. In spite of these efforts my Government must present to the Council

a Budget showing a deficit of 50 lakhs. Honourable members will appreciate the fact that this deficit is approximately equal to the amount of the Provincial contribution to the Government of India, so that, but for what we have to pay away to assist the finances of the Central Government, we have, in fact, a Budget which balances. As honourable members are aware, we have constantly and continuously represented to the Government of India the serious financial position in which we, through no fault of our own, find ourselves, and have made every appeal possible to the Government of India to remit the Provincial contribution and give us assistance in other ways, not only because of our financial position, but because we have always maintained that the Meston Settlement has had the result of treating Bombay in a manner which has had a very injurious and, to my mind, unfair effect on its finances.

It is really impossible, without serious detriment to essential services, and, I may go so far as to say, without irreparable damage to the security of law and order and to the nation-building services, to reduce our expenditure further than we have done. I know that the Council very rightly sets great store by economy of administration, and desires to be satisfied that the avenues of possible retrenchment have been explored. I wish to assure them, as we have assured the Government of India, that every single department has been, and is being thoroughly scrutinised, and my Government have satisfied themselves that extravagance no longer exists—if it ever did—in any department of the administration, and that the reduced scale of expenditure has not been attained without severe pruning.

My Government does not feel justified in asking the Legislative Council to vote any further taxation simply in order to enable us to meet our liability to the Government of India, and we are fortunate in being able, for the time being, to meet the excess from savings. We do not do this without some misgiving, but with confidence that a revision of the settlement, coupled with some return of trade prosperity, will enable us to continue to provide, for the inhabitants of this Presidency, those services to which they are accustomed, and to which they have a right. No alternative thus offers but to present to this honourable House a Budget which shows a deficit approximately equal, as I have said, to the amount of our Provincial contribution.

When addressing the Council a year ago, I remarked that the agricultural season which had just come to an end had been neither very good nor very bad. This description may not inaptly be given of the season which has now passed, though the failure of the late rains, and the long break in October, are causing considerable apprehension in regard to the rabi crops in the Deccan and the Karnatak districts, while some damage has been done by an invasion of locusts in Northern Gujarat and Sind. The kharif crops were, on the whole, satisfactory in the Presidency proper, and were fair in Sind, the late rise of the river Indus having restricted the area that could be sown. Our chief anxiety therefore, at the moment, is in regard to the rabi in the eastern districts of the Presidency, and I would ask this Council to believe that Government, as well as the district officials, are fully alive to the possibility of its

failure, and the consequent distress. It is unlikely, however, that a situation of a very serious character will arise.

The past year has been memorable for the holding of the first Presidency Agricultural Show which I had the pleasure of opening in Poona in October last. The reward for the long and careful preparations made by the Committee was seen in the large attendances at the Show, which far surpassed the most sanguine expectations, and in the genuine enthusiasm which was aroused on all sides. Perhaps the most valuable tribute to the work done came from the members of the Royal Commission on Agriculture, who were holding their sittings in Poona in the course of the Show, and who, as experts in their subject, expressed their surprise that India could already display so much progress in its agricultural development. It is proposed that the Show shall be an annual one, and that, this year, it shall be held at Ahmedabad, where it should appeal more definitely to the people of Gujarat, who, by reason of the distance, could not be fully represented at the Poona Show. I am confident that Gujarat will rise to the occasion with no less enthusiasm than the Deccan did last year.

The report of the committee appointed as a result of a motion put forward in the Council in July 1925 to enquire into the working of the Fallow Rules in Sind has been received, and is now before Government. The questions raised in it, and the connected questions of the disposal of the lands, which will receive irrigation when the Barrage at Sukkur is completed, are receiving the most earnest consideration of Government, and I trust that it will be possible for us to formulate our general policy at an early date. At this stage I cannot do more than assure the Council that we are not, and shall not be, oblivious of the legitimate claims of the existing zamindars to a share in the increased facilities which the Barrage will provide.

Turning to the work of the Transferred Departments, it will be seen that, in the next year's Budget, my Government has succeeded, in spite of the financial stringency, in keeping the provisions for the most important items at approximately the same figure as has been sanctioned in the current year's budget. It has, however, been, I deeply regret to say, impossible to include many most desirable schemes for improvement both in the educational, medical, industries, and local self-Government departments.

In connection with education, I trust that the Council will support the Honourable Minister in his effort to expand compulsory education in this Presidency, for, I am convinced that, until the masses—especially the agriculturists—are literate, we can hope for little real advance either in industries or agriculture.

As you are all aware, since my arrival in India I have devoted special attention to the improvement of our hospitals and medical schools, both in Bombay and in the mofussil. I am glad to say that, thanks to the readiness with which the members of the late Council co-operated with me, and their provision of the requisite funds, the scheme for the improvement of medical relief in Bombay city has been inaugurated

and is progressing satisfactorily. I trust that honourable members of this Council will continue to co-operate with me in this scheme in the same spirit. I am glad to say that schemes for the improvement of the Hospitals and Medical Schools at Ahmedabad and Poona are also in progress, and desire to invite the special attention of honourable members to them, and to other important medical schemes which they will find in the Budget.

In connection with Public Health, I hope that every effort will be made to assist the Infant Welfare Association and other activities of a similar nature, which are doing their best to see that the rising generation is given every opportunity for mental and physical fitness by being brought up amid wholesome surroundings.

Thanks to the efforts of my Honourable Colleague, the Minister for Local Self-Government, the local self-Government movement in this Presidency has, during the last six years, shown marked progress, and I trust that, during the life of this House, it will develop still further. The most recent development is to be found in the establishment of a Local Self-Government Institute, the objects of which are to co-ordinate the work of local bodies, train staff for them, and spread knowledge of the real meaning of Local Self-Government among the people generally. I consider this Institute to be worthy of all the support honourable members can give to it. I am, also, especially pleased to find that, in spite of the financial stringency, it has been found possible to make the same provision as during the current year for grants-in-aid to Local Boards for improvements in roads and communications generally.

I regret that my Government cannot at the present time, make greater provision for the work of the Industries Department. The whole question of the future of this department is at present under the consideration of a committee, whose report has not yet reached Government.

I have mentioned the question of the improvements in roads and communications generally, and my Honourable Colleague, the Finance Member, will deal with this matter in his Budget speech. Undoubtedly, with increased motor traffic, the subject of the improvement of the roads in the Presidency, and the making of new roads, is a matter of the greatest importance; and honourable members will have noticed the great advance which has been made during the past two years in the facilities afforded by private companies and individuals for linking up towns and important villages by means of motor-transport with the nearest railways. As honourable members are aware, Government has set up a Provincial Road Board, and the question is now being closely examined by the Government of India as to the desirability or otherwise of a Central Road Board for India. It would appear to me desirable that, before any Central Road Board for India is set up, full enquiry should be made into the question as to whether, at any rate for a few years to come, the development of roads should not be solely a question for Local Governments; but this is a matter which opens up a question on which opinions may be and I think are, very diverse, and, before any decision is arrived at, it would seem desirable that every Presidency and Province, and I would also include Indian States, should be consulted.

Every effort has, as I have said, been made, and is being made, to find necessary revenue for the Transferred Departments, and it is a fact not perhaps properly recognised that the expenditure on Education, Hospitals, Public Health and Agriculture has increased considerably, while the expenditure on the Reserved Departments of Justice, Jails and Police has actually fallen. In the Police Department retrenchment has been especially rigorous, and, though this has not yet resulted in any serious outbreak of crime, I feel that the Police force has been reduced to the lowest limits consistent with the preservation of law and order, and that any further reduction would be fraught with danger to the community.

I am glad to be able to inform honourable members that, during the last few months, the notorious dacoit, Miran Jamali, who disturbed the peace of Sind for several years, has been brought to justice and sentenced by a Jirga to a long period of imprisonment. Praise is due to the Police officers whose skill and endurance led to his arrest, and to the tribesmen who assisted them.

My Government have decided to bring the Bombay Children Act into force with effect from the 1st May next, and I hope that, with the aid of public sympathy and support, it will accomplish much good in rescuing the young from evil surroundings and preventing them from learning habits of crime.

As regards Irrigation, it is satisfactory to realise that the Pravara River Works project is now complete, and last December I had the pleasure of declaring open the Bhandardara Dam, one of the highest in the world. The completion of this scheme places the Deccan in the forefront of Indian provinces, so far as irrigation from stored water is concerned.

The Nira Right Bank Canal, and the Lloyd Dam at Bhargar, are approaching completion, and good progress is being made in widening and remodelling the Nira Left Bank Canal. As regards the Deccan, the works I have just mentioned are, for the present, absorbing the activities of the Irrigation Department in the Deccan. In the very near future, the Mutha Canals Extension and Remodelling scheme, which is of great urgency, must be taken in hand. Proposals will be laid before you for a further demand to continue the surveys for this work.

It is a matter of great satisfaction that irrigation is rapidly developing on the Godavari Canals in the Nasik and Ahmednagar Collectorates. This will, however, necessitate investigation of new tank sites for additional storage, and the actual provision of these reservoirs becomes another project to be undertaken as soon as possible.

Government are also enquiring into the feasibility of the Markandeya River Project to irrigate lands in the Belgaum district, and of the Malaprabha River Project in the Bijapur and Dharwar districts.

As regards Gujarat, various schemes have been mooted, but, chiefly owing to the heavy cost and the difficulties of dealing with those which encroach on the territory of a number of Indian States, no material advance had been made in the past. As a result of a conference held in 1925, Government have decided that the survey and preparation of

plans and estimates for reservoirs on the Panam and the Vatrak Rivers, and a weir across the Meshwa, should be undertaken.

I cannot, on an occasion such as this, deal at length with the Lloyd Barrage and Canals Construction Scheme, but, as the result of annual visits to Sukkur, and continued close examination of the estimates and general conduct of the scheme, I feel confident in saying that the present condition, both from the Works and Financial point of view, may be considered satisfactory. During the past three years, most of the work on the Barrage itself has necessarily been of a preparatory character, and now the important work of building the Regulators to the heads of the large canals on either Bank of the Indus has commenced. The progress of the three large Canals, all of them broader than the Suzy Canal, has progressed in a manner which has exceeded the most sanguine expectations of our Engineers. I have seen these Canals progress every year, and only last November drove along miles of the great North-Western Perennial Canal, and it was almost impossible to believe that this work, and work on the other canals, had been accomplished in the short space of three years.

The proposals of Government in connection with further work on the Back Bay Reclamation scheme will be laid before the Council by my Honourable Colleague, the Member in charge of the General Department. As honourable members are aware, the present position of this undertaking has been very exhaustively examined during the past year, and I would desire to express my gratitude to Sir Joseph Kay and Mr. Neilson, and the members of their respective Committees, for the time and trouble they gave in this matter. Honourable members have, no doubt, read the report of the Committee appointed by the Government of India to enquire into the scheme, and everyone must feel grateful to Sir Grimwood Mears and the members of that committee for their very careful examination of the whole project, and for the recommendations which they have made. It is a matter of satisfaction to my Government that the committee have appreciated the work of my Honourable Colleague, the Member in charge, and have acknowledged that every possible assistance and information was put at their disposal by Government.

The committee, in their recommendations, have in view the completion of a portion of the original scheme in as expeditious a manner as possible, so that the land reclaimed can be placed on the market and the amount of debt circumscribed, with the result that some of the losses incurred will be recouped at as early a date as possible. This seems to my Government the sound policy to pursue. We must endeavour to repay to the taxpayer as much as is possible, but, at the same time, finish off the work decided to be done so that not only will the land available for sale be made as attractive as possible to the purchaser, but that the work itself, when completed, shall add to the beauty and amenities of Bombay. Full details of the proposals of Government, with every information, will be laid before Council. Government have given the recommendations of the committee their most careful consideration, and have come to the conclusion that the reclamation of a

strip of land 300 feet wide in front of Blocks 3 to 5, with the addition of about 1/3rd of Block 6, is not a financially sound proposition, as it must be done by dry-filling. A close scrutiny of the estimates and forecasts that have been prepared will prove that this is so. Government, on the other hand, have come to the conclusion that the reclamation by dredged filling of the major portion of Block 6, together with the small low-lying area immediately in front of Block 5, while not adding to the debt, would be instrumental in supplying all the amenities, held to be so essential by the Committee. It is estimated that the reclamation of this portion would be completed in one season's dredging, and that such reclamation would be of advantage not only from a financial point of view, but which is very important, in the interests of public health. A Promenade and Drive, connecting both ends of the reclamation, is quite possible without reclaiming the 300 feet strip. The proposals of Government will, therefore, while providing the amenities suggested by the Committee, tend rather to reduce than increase the debt. The budget for next year makes provision for these proposals, and I feel sure that the honourable House will give them their most careful consideration.

In this connection I have one word to add, and that is to suggest to honourable members that they should personally visit the work before any discussion takes place in Council, and to do so at low tide, so that they will be in a position to discuss and decide the questions outstanding from a personal knowledge. I need not say that every facility will be afforded to them for their inspection.

Three years ago, almost to a day, I opened the second elected Legislative Council of Bombay, and this afternoon I inaugurate the third Council elected under the authority of the Government of India Act of 1919. This will be the last newly-elected Council I shall open before my term of office as Governor of Bombay expires, and no one, at the moment, can forecast the constitution of the next elected Council, for, during the period of the life of the present Council, the Statutory Commission will visit India, and it may be that the recommendations of that Commission will have received statutory sanction by the Houses of Parliament, so that the constitution of the next Council may be a very different one to that which is, by statute, decreed at the present time.

I do not mention this with any idea of suggesting to honourable members that the coming of the Royal Commission should, in any way, influence their actions. On the contrary, I would urge them to do as they have done in the past, namely, to voice their views freely and honestly, and to consistently carry out their obligations to their constituents and to their country. If I am to judge by the past six years—and, after all, that period is long enough to give some indication of the views of elected members—it may truly be said that, in the Bombay Legislative Council, honourable members have endeavoured to work the Reforms, however limited in their scope or difficult in their application, in many respects, the statute, under which they work may appear to some. May I suggest that this is the right spirit, and that the Presidency has every reason to be proud of its elected representatives.

You may think, and many may agree, that the Government of India Act of 1919 did not go far enough. There may be some who may think

that, in some particulars, it went too far. How is any Statutory Commission to come to any decision on these questions which it has to consider unless it has evidence of the working of the Act? I myself feel confident that there is no legislative body in India which is in a better position to give that evidence, based, as it will be, on an honest endeavour to interpret to the best of its ability the 135 sections of that Act, together with its schedules, rules and regulations framed under the Act, than the elected representatives of the Bombay Presidency. I would, therefore, urge honourable members to devote themselves to the task of considering the present situation, from experience gained during the period since the Act of 1919 came into force, so as to be ready and prepared to lay before the Commission, when it arrives in India, facts,—and may I emphasise the word facts, and add facts based on personal knowledge of the defects of the present constitution, and sound and reasonable proposals for a redress of those defects and proposals for the future—proposals which they can prove will advance India on the path of full responsible government, and which will (what is still more important) advance Indians and India on the road where they can see ahead the real happiness and true prosperity of the many millions who live in this great country. That India must advance in wealth, and in industrial, economic and social progress, is inevitable; but her future lies, to an extent which at the moment is, I fear, not fully recognised, in the hands of honourable members elected to Assemblies such as this: and while it is true that Bombay can and is, proud of the work of its Legislative Council during the past six years, where common-sense and fair-play, and few communal differences, have characterised its actions, yet it is necessary for every honourable member of this House to realise his individual responsibility, not only to his constituents or his constituency, but to India, of which the Bombay Presidency forms so important a part.

The responsibility on each and every single member of this Council, I know honourable members will agree, is a very great one, and I can only pray that, under Divine guidance, you will use the position you now hold with a full sense of all that it means for your fellow-citizens, and to the advantage of the country which has given you birth, which has every right to demand that you put on one side all personal, all communal, and all racial prejudices, and that all your actions will be dictated by that patriotism and that loyalty to your native land which has been, and still, I am thankful to think, is the characteristic of every man or every woman who is a citizen of that great Commonwealth of Nations we know as the British Empire. (Cheers.)

After the conclusion of His Excellency's address a procession was formed, and His Excellency left the Hall in State.

The Honourable the PRESIDENT: Order, order. The House will now adjourn for tea and meet at 4 p. m.

(After recess.)

PRESENTATION OF THE BUDGET

The Honourable the PRESIDENT: Order, order. Presentation of the Budget.

The Honourable Sir CHUNILAL MEHTA : Mr. President, I wish to extend a warm welcome to all those honourable members who have entered this Legislative Chamber. One is sorry to miss some familiar faces on the opposite benches ; but I am sure that all those who have succeeded in obtaining the support of their constituencies for the second and even the third time, and those with whom we make fresh acquaintance, have come here with an earnest desire to help the Council and the Government in advancing the real interests of the country. I am well aware of the severe contests which many elected members have had to face and of the heavy strain which the work in the Council must entail upon their time and their business. Honourable members have ungrudgingly borne it during the period of the two Councils ; and while entering upon the third it may not be out of place to examine very briefly the lessons which may be learnt from the Council's working during the past six years and from the results of the elections.

2. In spite of the many difficulties, including those attendant upon an admitted period of transition, much valuable work has been done both in and by the Council. Many legislative enactments calculated to do good to the community have been put upon the Statute Book. Indian Ministers unacquainted with the practical problems of administration have given good account of themselves ; and the electorates are being trained to the value of the vote and to discriminate with judgment between the claims of rival candidates and policies.

The period of the first council was one of abstention : for a large number of the population refused to exercise the franchise or take part in the councils. In the next, came a temporary show of obstruction which was necessitated by the members of the Swaraj party following mandates from outside this Province. It was soon discovered that not only was this policy likely to be barren of results but that it had no chance of success in the peculiar circumstances of this presidency. The robust common-sense and the practical genius of all the communities for which this presidency is so well known, soon necessitated a revolt with the result that the responsivists broke away and have captured many seats at the expense of the Swarajists.

3. When you have once entered the Council all thought of non-co-operation must be put away. What is of consequence is the recognition of the fact that a persistence in unreasoned and continuous opposition must detract from the worth of any party, however eminent its members may be, and must indirectly tend to bring in the evils of communalism and time-serving expediency. If an important section of the House, even if it is not in a position to command a majority but contains a not insignificant number of supporters, is determined never to see any good in any action of the State, there can be no healthy rivalry of policies, which can claim the allegiance of parties, and direct encouragement is given to groups based on communal considerations, which unfortunately form themselves too easily in this country, or to combinations brought about for securing some temporary or parochial advantage. Those in power cannot be blamed if they are compelled to seek support on the only terms on which it is available, nor their supporters who are led to believe that the above considerations will best serve their immediate interests.

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It would not perhaps be possible, in the existing circumstances or at the present stage of the Reforms, to create and maintain parties for the carrying out of fixed policies. The evolution of such a policy requires time and a period of exercise of true responsibility. But a negative policy based on continuous and indiscriminate opposition is merely futile and demoralizing, and one building itself on communal considerations may perhaps enjoy a short life but is equally liable to come to grief. The enthronement of the principle of examining and deciding every question on its merits is the surest way towards constructive work and education of the electorate, and towards the evolution of parties based on fixed principles to which we are looking forward. The results of the elections, at any rate in this presidency, show that there is a prospect of this principle being respected ; and I hope that in that spirit of mutual helpfulness and understanding our work in the Council will be carried on. Thus only can our work get related to and reflect more and more the wishes of the people which, I consider, is the object of responsible government.

4. I myself will need that help and co-operation in a special measure both as Leader of the House and as Finance Member : and I trust it will be forthcoming from the Council in no grudging degree.

This is the first time in this presidency, and indeed in any major province in India, that the important Finance Portfolio has been entrusted to an Indian Member of Council. Grateful as I am for the high honour, I cannot disguise from myself the special responsibilities, and the difficulties of a not too prosperous treasury.

I wish to pay my humble tribute of admiration for the marked ability with which my distinguished predecessors have managed the finances of this Presidency and for the skilful manner in which they have accumulated most useful balances. My admiration is all the greater because of the difficulties under which they laboured owing to the inequity of the Meston Settlement. The unfortunate settlement has never really given any chance to this Province : and there seems little prospect of our finances ever being prosperous until the injustice done by that settlement is put right. The increase in the scale of salaries of all services, from the Imperial down to the menial, to keep pace with the rise in the cost of living, and the natural clamour for expansion of departments in which the Ministers and the people take legitimate interest, without correspondingly expanding revenues, has, as it sooner or later must, produced a stage when our budget no longer balances, and last March the Council had to pass a budget showing a deliberate deficit of 28 lakhs after taking credit for taxation passed last year. The stage is certainly not getting any better ; and this must add to the difficulties of a new Finance Member who as an *Ex-Minister* is naturally most anxious to provide all the funds he can for the nation-building departments.

5. I would commend to the honourable members a careful study of both the Blue Book and the White Book which contain very full details of the disposal of all Government monies. All the activities of Government are conditioned and regulated by the amount of resources available ; and a careful study which these books do not always receive will enable

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honourable members to arrive at correct conclusions. They will rise from that study wiser, and perhaps sadder men. There is a tendency among honourable members to be extraordinarily conservative and hard-fisted at the time of the budget and during the rest of the year in supporting resolutions to be equally liberal and lavish. It may be hoped that a study of these figures will help to correct this inconsistency.

6. The following is a brief summary of the financial position of this Presidency. The figures are exclusive of Development transactions.

1925-26 Accounts

Opening Balance	..	..	636 lakhs.
Revenue	..	.. 15,10 lakhs.	
Expenditure	..	.. 15,01 ..	

Surplus .. 9 lakhs.

Banking account under "Debt, Deposits and Advances" .

Receipts ..	..	.. 705 lakhs
Disbursements	..	.. 686 ..

Surplus	..	19 lakhs.
Total surplus	..	28 lakhs.
Closing balance	..	664 ..

1926-27 (Revised)

Opening Balance	..	..	664 lakhs.
Revenue account :			
Revenue	..	.. 15,32 lakhs.	
Expenditure	..	.. 16,07 ..	

Deficit .. 75 lakhs.

Banking account under "Debt, Deposits and Advances" :

Receipts	..	.. 317 lakhs
Disbursements	..	.. 432 ..

Withdrawals	..	115 lakhs
Total withdrawals	..	190 lakhs
Closing balance	..	474 ..

1927-28

Opening balance	..	..	474 lakhs.
Revenue accounts :			
Revenue 15,08 lakhs	
Expenditure 15,58 ..	

Deficit .. 50 lakhs.

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Banking account under "Debt, Deposits and Advances" :

Receipts	369 lakhs.
Disbursements	423 ,,
Withdrawals	..		54 lakhs.
Total withdrawals	..		104 lakhs.
Closing balance	..	..	370 ,,

7. The closing balance which at the end of 1925-26 amounted to 664 lakhs is made up as follows :—

Famine Insurance Fund	..	..	195 lakhs.
Other Loan Balances	..	..	81 ,,

the ordinary balance being therefore 388 lakhs.

The balance at the end of 1926-27 is anticipated, on the revised eight monthly estimates, to be 474 lakhs made up as follows :—

Famine Insurance Fund	..	..	238 lakhs.
Other Loan Balances	..	..	55 ,,

the ordinary balance being 181 lakhs.

Next year's closing balance is estimated at 370 lakhs, of which 262 lakhs is for Famine Insurance Fund and the rest, i.e., 108 lakhs, is the ordinary balance.

It must be remembered that 103 lakhs were sanctioned by the Council at the last budget session as a loan to the Sukkur Barrage from our balances : and an additional sum of 20 lakhs was invested in the same manner during the year. The sum of 123 lakhs will still be invested in the Sukkur Barrage at the end of 1927-28 but will be available, according to the orders of the Government of India, for replenishing our balances should the need arise at any time. I should also mention that the sum of 262 lakhs which we will have at the end of the year 1927-28 in the Famine Insurance Fund is in a way a book entry still remaining as a balance available to Government for specific famine purposes according to Devolution Rules.

I submit to the House that the position so far as our balances are concerned can be said to be sound and one which will be able to meet any unforeseen demand that may come upon us.

8. As for the slight improvement in the account figures of 1925-26 as compared with the revised by which the small anticipated deficit of five lakhs has been converted into a surplus of 9 lakhs, I would invite the attention of the House to the detailed explanation given in the Secretary's note in the Blue Book.

9. The opening balance of the year 1926-27 is estimated at 664 lakhs. This includes 81 lakhs of loan balance, 195 lakhs Famine Insurance Fund, the true available balance being therefore 388 lakhs. This balance of 664 lakhs is expected to be reduced at the end of the year to 474 lakhs made up of 55 lakhs loan balance, 238 lakhs Famine Insurance Fund and 181 lakhs ordinary balance. The reduction of 190 lakhs in our balance is due to a revenue deficit of 75 lakhs and a deficit of 115 lakhs

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under capital and debt section. Before dealing with the revenue deficit, I may explain to the House that the deficit of 115 lakhs in our debt section is due to the fact that instead of borrowing the whole of our loan requirements of the year from the Government of India, we are spending part by a withdrawal from our balances and part from the loan savings of the previous year.

10. The large revenue deficit must necessarily attract attention. It is principally made up of the decrease in revenue under our three best revenue earning heads.

As the House is aware, out of a total revenue of about 14½ crores, excluding interest which appears on both sides of the account, Land Revenue, Excise and Stamps are responsible for over 11 crores ; or 75 per cent.

Any serious variation in these heads is therefore bound to have a disturbing effect upon the whole budget.

11. Our Land Revenue, which is more than one-third of our total revenue, depends on the condition of the monsoon. It has been found from experience that the distribution of water is more effective than the quantity : and this fact is illustrated by the rains of last year. Although the monsoon broke later than usual, the quantity of rain was sufficient, or more than sufficient, and everybody expected that the crops would be greatly benefited.

The rainfall in July and August was good and opportune, though it was somewhat insufficient in parts of the Deccan and the Karnatak. August and September gave excessive rainfall in Gujarat. In Ahmedabad and other Gujarat districts, rice crops benefited by it : but Bajri and Jowar crops were generally affected, as was also cotton in Viramgam and Broach. In September the rains were sufficient and well distributed in the Deccan and the Karnatak, except in parts of Ahmednagar, Poona and Belgaum. The later rains were not equally widespread : and the long break in October and want of sufficient rain in the succeeding months affected prejudicially the crops in the Deccan and the Karnatak districts. Rabi crops have failed in Ahmednagar, excepting Shevgaon, and are not satisfactory in West Khandesh and Nasik and in some parts of Poona, Bijapur, Belgaum and Dharwar districts. In Gujarat there is damage by locusts and frost in Ahmedabad district and in the Panch Mahals. The locust pest has re-appeared after several years.

In Sind the outlook was unsatisfactory in July as the river was low and fair irrigating level had not by then been reached. But the high and steady level maintained by the river in August and September aided by seasonable rains was very beneficial to the crops except in certain talukas where cyclone and heavy rainfall caused damage both to crops and cattle. The standing rabi crops in Sind are generally in good condition except for some damage by locusts.

Government last week issued a press note describing in detail the agricultural situation as it is at present, and I need only add that throughout the Presidency it is being carefully watched by the honourable the Revenue Member, and that everything that is required will be done to meet any situation that may arise.

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Owing to a combination of these unfavourable factors larger suspensions and remissions will have to be given than was estimated when the budget was made.

But in order to understand the effect of the season on our revenues for the current year, we must examine the ordinary land revenue. It was budgeted at 511 lakhs in the current year. In the revised estimate we have brought this figure down to 490 lakhs, representing a reduction in collections of 21 lakhs owing to the nature of the season, the portion of Land Revenue due to irrigation being also reduced from 72 lakhs to 66 lakhs on account of the low level of the river Indus as stated before.

Given a normal crop we hope to collect 530 lakhs next year.

12. The Department of Excise, besides spending more than the budgeted estimate of 1926-27, which I shall explain later on, shows also decrease of revenue. This is due to a large extent to the experiment of trying Simultaneous Auctions. The evils of reckless bidding, blackmail and intimidation are the accompaniments of the Auction System; but there is no doubt that there are other and greater evils under any other system that can be devised for the sale of liquor; and the Honourable Minister wished to try and see whether these evils could be remedied by the system of Simultaneous Auctions. It was also hoped that the price of country liquor could be checked from rising unduly high by this experiment. It has however been found that these results are scarcely to be expected: and in any case while the benefit is doubtful, the cost to the State is certainly exorbitant. Further experiment in this direction is therefore going to be abandoned; but so far as the current year is concerned this has had the effect of diminishing our anticipated receipts under VI-Excise from 435·4 lakhs in the Budget of 1926-27 to 427·4 lakhs in the revised estimates. It is, however, necessary to explain that the revised estimate for 1926-27 under this head does not reflect the true revenue from Excise. This revenue has been swollen (in the revised estimate) by 22 lakhs on account of past year's profits on the manufacture of liquor both at Nasik and Khanapur.

Under the new system of keeping accounts for the distilleries at Nasik and Khanapur, worked by Government as commercial undertakings, which was explained to the Council last year when a supplementary grant was asked for, these profits will in future be regularly credited. This sum of 22 lakhs represents the profits of years prior to 1926-27 credited in the current year.

The addition of this sum of 22 lakhs has, however, been counter-balanced by smaller receipts of 15·75 lakhs under Still-head Duty and country spirit Vend Fees. There is also a decrease of 6 lakhs under Indian made foreign liquor, the reduction in duty from Rs. 21/14 per proof gallon to Rs. 17/8 having failed to produce the anticipated revenue by that sum.

Account has been taken of all the above factors, and the ensuing year's estimate has consequently been put down at 400 lakhs. The Council

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no doubt realise that the pursuance of the policy sanctioned by them must necessarily entail a steadily decreasing revenue under this head. If the activities of Government and the amenities it affords are to be expanded or, I should say more correctly, if they are to be continued on the present scale, this loss of revenue, as has always been recognised by the Council, will have to be made up. In fact it was in pursuance of this recognition that the House passed a resolution appointing a committee to consider the financial aspect of our Excise Policy, and to suggest the methods for making up the loss that will necessarily ensue. The report of the committee will of course have the careful consideration of the Honourable Minister.

13. The depression in trade is reflected in the low receipts under the head "VII-Stamps" which have gone down by 15 lakhs : from 201 lakhs to 186 lakhs. Next year we anticipate a revenue of 187 lakhs under this head. We have ventured to assume that the House will sanction the continuance of the Stamp Act which expires on 31st March 1927. (A voice : "No, no.") I will not anticipate the arguments for its continuance at this stage, except to state that the reasons which led to its passing last year continue to exist to-day. It can scarcely fail to be realised that in our present financial position the discontinuance of this measure is not seriously to be contemplated.

14. These three main heads are responsible for a decrease of 33 lakhs. The same reason, depression of trade, appears to be responsible for the decrease of 3 lakhs under the head of Scheduled Taxes which include the Tax on Betting. The revenue anticipated from this source next year is 22½ lakhs.

15. We have lost under the head of Miscellaneous Adjustments between Central and Provincial Governments a sum of 11½ lakhs which we expected to get from the Government of India for certain buildings in Political Agencies which have now been transferred to the Central Government. The Government of India have refused to give us this credit.

16. There are also other minor variations into the details of which it is unnecessary to go ; but the net result is that our revenue is worse by 48 lakhs, as anticipated in the 8-monthly revised estimates.

17. With regard to the expenditure in the current year's revised, honourable members will see that there is a net decrease of one lakh. This decrease would have been much greater were it not for the fact that there have been some excesses in certain departments due to obligatory payments. The principal excess is under Excise amounting to 14 lakhs. Of this sum 8 lakhs is a book entry necessitated by the introduction of the commercial system of accounts at the Nasik and Khanapur distilleries, and was voted by the Legislative Council at the last session ; for the reasons given to the Council at the time of the supplementary demand, there is a credit entry on the revenue side under VI-Excise for the same amount. The remaining excess of 6 lakhs is due to the payment of arrears of excise compensation to Indian States for the lease of their abkari and hemp drugs revenue

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Excluding the 14 lakhs under Excise, there are increases of 10 lakhs under certain heads making a total of 24 lakhs. This increase is counter-balanced by decreases in expenditure amounting to 25 lakhs. As soon as our present deficit was known stringent orders for economy and for restricting re-appropriations were issued. These orders can only take effect in the last months of the year and it is hoped that further reductions in expenditure may result.

18. As regards the next year's revenue and expenditure, I have mentioned the main figures before. There is one point to which I would invite the attention of the House. It will be noticed that next year's budgeted expenditure is about 50 lakhs less than this year's either budgeted or revised.

The main decrease is under the head of Civil Works and Miscellaneous amounting to 23 lakhs. I am taking these two heads together because the subsidy of 19 lakhs to local boards for communications, which used to be provided under Miscellaneous, is now shown under 41, Civil Works.

There is also a saving of 4 lakhs under Police.

In regard to both these departments, Civil Works and Police, the Retrenchment Officer has been able to propose savings which have been accepted by the departments and which have been included in the next year's budget. New works under the Public Works Department have been severely cut down : and as the 'works in progress' are nearing completion, there is a considerable saving under that head also.

The rest of the cut is shared by all departments. This saving has not been effected without considerable pruning everywhere. Proposals for funds for various schemes have had to be cut down to the great disappointment of all the departments which are straining to go forward but are held back by the embargo placed by our financial situation. It will be noticed that only such new items as are considered essential by the departments have been retained.

19. The Development Department has been much before the public eye of late. Various committees have been appointed and no doubt their reports have been carefully studied by honourable members. They would also no doubt desire to discuss the Development budget fully. The only point to which I need refer is the additional subsidy of 7½ lakhs that has been provided for in the budget for the next year to meet the estimated loss on the Suburban Schemes. As honourable members are aware, notifications have been largely withdrawn and the activities of the department have been curtailed as far as it was possible to do so. It is of course extremely difficult to make any reliable estimate of the loss. The department has put down what it considers a liquidation value. This loss, amounting to 111 lakhs, is proposed to be covered by the subsidy of 7½ lakhs from general revenues to meet both interest and sinking fund charges on a 60 years' basis.

Any information that honourable members may require will be supplied by the Honourable the General Member on the demands for grants as well as during the general discussion both in regard to the Development

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Department and the other great work that is going on at Sukkur. His Excellency has referred in his address to the Lloyd Barrage. I notice that several resolutions have been tabled about this scheme. Both in regard to it and the Development Department, Government desire the fullest discussion; and although the order of taking the demands for grants appears in the Blue Book in the same sequence as before, I will ask the Council if they desire to change that order for these subjects and I will fix the discussion on them on any days that non-official members may choose; and I trust that full and fruitful discussion will ensue.

20. A reference to statement VI, on page 33 of the Blue Book, will show the capital commitments of this Government and its debt charges as at the end of next year.

The total outstanding debt is 24·87 crores. This includes 12·42 crores on account of the Development Department, the total interest and sinking fund charges on which will amount to 86 lakhs. Of this sum, 27½ lakhs will come from the general revenues as a subsidy for the estimated loss of 3 crores on the Back Bay and a loss of 111 lakhs on the Suburban Schemes. The rest will be met, as before, from borrowings. The accumulation of the sinking fund for Bombay Development loan, proceeds of which were shared by the three local bodies in Bombay, stands at 82·75 lakhs.

For the Sukkur Barrage, we will have borrowed up to the end of next year 631 lakhs.

On other irrigation, our expenditure will amount to 221 lakhs. We have to repay this sum by equated payments of principal and interest on a 60 year basis. The necessary provision has been made in the current as well as next year.

Under 'Other Purposes' Civil Works, Public Health, Forests, etc., there is a debt of 391 lakhs. The liability contracted for these purposes is being repaid by equated payments of principal and interest in 30 years.

Further, we have taken advances from the Government of India on behalf of the Port Trust, Improvement Trust and Bombay Municipality, as follows :

Port Trust	..	..	..	2·52	crores
Improvement Trust	..	..	..	4·45	"
Bombay Municipality	.	..	..	8·33	"

These bodies have agreed to repay their loans in 30 years.

In addition there is a pre-Reform irrigation debt of 8·91 crores which, however, is not to be redeemed and on which a favourable rate of interest is payable.

In the old Provincial Loan Account we will have outstanding at the end of the next year a sum of 131 lakhs. We are paying off this amount at the rate of 29 lakhs a year.

The debt repayable is less than two years' ordinary revenue. A debt of this magnitude, most of which was incurred for productive purposes, cannot be said to be excessive.

21. The situation disclosed by the budgets of the last two years cannot be said to be satisfactory. The Legislative Council, the Government and

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indeed the whole presidency have been at one in denouncing the Meston Settlement as being the root of all our financial difficulties. The inequity of the settlement consists in depriving this Government of the share of its industrial revenues which it enjoyed before the Reforms, without making any provision for the standard of expenditure, which had been allowed and approved of by the Central Government who were then responsible for the finances of every province, and which was indeed necessitated here by the cost of living. It is obvious, therefore, that we were justified in approaching the Government of India to remedy that wrong and to give some partial relief before the whole question is reconsidered and a fair readjustment of the sources of revenue is made.

The Devolution Rule, which was specially designed to compensate the industrial provinces for the disadvantages under which they laboured under the Meston Settlement, has woefully failed in its purpose. Both the Taxation Enquiry Committee and the Muddiman Committee have recognised this fact. Indeed the effect of the working of that rule has been contrary to what was intended; and whereas this Government has failed to get any share of the income-tax in every year after 1922-23, other agricultural provinces which had no similar claim have obtained fair sums of money, principally because there was scope for considerable improvements in the administration of the Income-tax Department in those Provinces. We on the other hand have been specially hit by the depression of trade and by the choice of the year 1920-21 as the datum year, a year of war prosperity; and we have also been made to pay the penalty of the efficiency of our Income-tax Department as our collections then were highest. We have made the strongest efforts possible to induce the Government of India to see our point of view and to compensate us for the failure of the Rule and all that can be said at the moment is that we must await the result with confidence relying upon the justice of our cause. That, however, does not relieve us from the liability of putting our own house in order. Indeed it entails upon us the duty of making all possible economies in every department.

22. It is scarcely recognised that the Finance Department is continuously applying the shears throughout the year; and judged by its unpopularity, it appears to have succeeded extraordinarily well. But in order that the pruning might be done even more effectively, it was decided to appoint a special officer to examine every department and suggest in what directions further economies were possible.

23. In addition to the Retrenchment Officer, the services of an officer of the Accountant General's department were obtained to scrutinise expenditure on contract grants and contingencies. The officer in question, Mr. K. K. Sen, carried out an examination of a large number of offices, and as a result of his investigations a general cut in the contingencies of all departments has been ordered involving a saving of 7 lakhs per annum.

24. The work of the Retrenchment Officer is still going on. A detailed examination naturally requires time; and in dealing with permanent

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establishments, the effect can only be seen in the next or the following year.

The Retrenchment Officer informs me that he has carefully taken into consideration the Report of the Retrenchment Committee that was appointed by Government in 1921 ; and he wishes it to be made known that in his difficult work he has received the full support of all the Heads of Departments for which our thanks are due to them. They may not agree with all the recommendations of the Retrenchment Officer, but they have cordially helped to make his investigation as thorough as possible.

In 1922 the Council enforced a cut of 60 lakhs. The actual amount saved was, however, in excess of this sum ; but all sorts of devices had to be resorted to in order to effect that saving. These devices consisted of stopping the travelling by superior officers, not filling up the vacancies as they arose, and so forth. These of course were only temporary measures and could not possibly be continued. It cannot therefore be anticipated that a further process of retrenchment, repeated so soon, would yield very striking permanent results, without impairing some very beneficial activities, in the circumstances in which we are placed.

25. There is an impression abroad that greater and greater economy can be achieved in the matter of public expenditure. This view is contrary to fact and the experience of democracy. In every country the Victorian ideal of letting people do everything for themselves is being abandoned ; and the activities of Government are expanding in directions which were not only not contemplated before but where the interference of Government was resented as objectionable. That the process of retrenchment can be carried on indefinitely, and that it is possible to put a limit on public expenditure, will, I think, be belied by the experience of every honourable member here who has taken part in municipal or local board administration. It is belied by our own experience in this Presidency which can be seen from the fact that the demands from individual members of this Council for more and bigger grants for various purposes in their constituencies, laudable as they are, show no sign of diminution.

26. It has often been said that the reserved departments are allowed to obtain the major part of the revenues as their share while the transferred departments are allowed to languish and starve. This statement has often been refuted ; but it appears necessary to give the figures again, for the satisfaction of honourable members. I will compare the figures of 1921-22 with those of 1927-28, as given in statement IV of the Blue Book, pages 30-31.

The expenditure on Education has increased from 172·5 lakhs to 207·6 lakhs.

Medical has gone up from 46 lakhs to 50·3 lakhs.

Public Health went down from 29·1 lakhs to 24·8 lakhs.

Agriculture went down from 29·9 lakhs to 29·0 lakhs.

Excise went up from 28·8 lakhs to 47·7 lakhs. (Honourable Members : Hear. hear). It has certainly stopped illicit distillation

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Forests went down from 50·8 lakhs to 43·3 lakhs ; while there was a small increase under Registration from 6·7 lakhs to 6·9 lakhs.

On the other side :

Land Revenue has gone up from 164·5 lakhs to 170·1.

Stamps have gone down from 3·5 to 1·6 lakhs.

General Administration has gone up from 122·6 lakhs to 126·1.

Justice has risen from 71 lakhs to 75·3 lakhs.

Jails have gone down from 31·4 to 25·9.

Police shows a decrease of nearly 21 lakhs, from 192 to 171·3

Thus while the expenditure on transferred departments has increased by over 45 lakhs, from 363·8 lakhs to 409·6 lakhs, the expenditure on reserved departments has actually gone down by 15 lakhs, from 585 lakhs to 570·3 lakhs. I have omitted from this calculation expenditure on Civil Works and Irrigation, as a good deal of expenditure on both these heads is being met from loan funds.

It should further be remembered that the year 1921-22 was the year of our highest expenditure ; whereas if the accounts of 1920-21 were taken, as shown in Statement II of the Blue Book, pages 26-27, the comparison will be even more favourable.

27. We have the assurance of the special officer, appointed to examine the expenditure on contingencies, that the greatest economy prevails in the Jail Department. The tendency in all countries is towards measures for improving the morale of prisoners, and this cannot be done without money.

28. In the Police considerable economies have been effected by a large reduction in the numbers of the force. The closing down of Police stations has led to many complaints of which honourable members of this House are fully aware. The reduction of the force in Sind was so great that we have been compelled to face an increase as soon as possible without any thought of further economy. The policy with regard to police is frankly based on the good sense and general law-abiding instincts of the people of this Presidency ; and should it prove to be mistaken in this respect, the situation may well be serious. In spite of previous reductions and retrenchments we have ordered a further reduction of 500 in the District Police Force.

So far as the City Police is concerned, no one will venture to defend the view that the City Police is excessive. The Retrenchment Committee stated :

“ We have no reductions to propose in the Executive Force of the Presidency Town, as the evidence, which we are inclined to accept, makes out a case for strengthening the force.”

I may add that we have received a communication from the Government of India in which they state that our City Police is in defect as compared with the force at Calcutta. They observe :

“ The population of the City of Bombay is 1,175,914 while that of the Calcutta City Police District is 1,077,264. The strength of the Bombay Police, however, is 3,827 as against 5,271 in Calcutta. The important

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crime statistics of the two cities for the year under review (1925) are as follows :—

		Thefts	Burglaries	Robberies	Murders
Bombay	.. ..	5,444	1,700	117	62
Calcutta	.. ..	4,286	778	53	8

The relative strength of the police force in the two cities appear to the Government of India to be fairly reflected in the crime figures for the year under review, and they consider that these figures may be of interest to the Governor in Council."

The Commissioner of Police, Mr. Kelly, has earned the well deserved encomiums of the people and it is only fair to make due acknowledgment to him and to the officers under him for the excellent work they do with the limited funds that we are able to place at their disposal. Honourable members will have read in the morning papers of the very regrettable rioting which took place in a busy part of the City last night. For the first time since the country has been convulsed by the present acute communal situation has the fair name of this cosmopolitan city been besmirched, to give point as it were to the argument I am advancing and to the need for caution. I am happy to say that the trouble has quieted down and that the limited locality which it affected has resumed its normal peaceful appearance. I trust that the strong commonsense of the inhabitants of this City, which always prides itself of giving a lead to the rest of India, will prevent further outbursts of frenzy.

29. In the Judicial Department economies might be effected by the amalgamation of courts ; but it cannot be regarded as a measure of progress if it is made more and more inconvenient to the people to obtain justice.

30. The Public Accounts Committee at their meeting in August last recommended that the annual assignment made to the Famine Fund should be reduced. In conformity with that resolution we have already approached the Government of India to release us from the liability, under Devolution Rules, of making the full provision of 63·60 lakhs and to allow a reduction therefrom of 30 lakhs. Twenty lakhs of irrigation expenditure will in the next year be met from the Famine Fund. A permanent relief of 30 lakhs can by this means be expected. The deficit is none-the-less large. This year we do not propose to ask the Council to make up that amount, which is somewhat less than our contribution to the Government of India, in view of our contention of the unfairness of the Meston Settlement and of the Devolution Rule.

31. Mr. President, it is desirable to examine one criticism that is frequently made and which at the first sight seems to be justified. It is argued that the revenue and expenditure per head in Bombay is the highest as compared to other Provinces. This is certainly true. In the last account year of 1924-25 the *per capita* revenue, Provincial Government Budgets only, in the major provinces was as under :

				Rs.
Bombay	7·4
Madras	3·8

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				Rs.
Bengal	2·2
United Provinces	2·7
Punjab	5·6

From the above figures critics argue that it follows of necessity that the administration of Bombay is extravagant. A detailed examination will show that this conclusion cannot be arrived at.

32. In the first place we have the example of the Punjab. That province spends more than twice as much as Bengal and United Provinces although its population is less than one-half of Madras, Bengal or United Provinces, and its area is a little smaller (only 7 per cent. less) than that of the United Provinces. It would follow that if the charge applies at all it applies in equal measure to the Punjab. That another province may be equally expensive in its administration is of course no justification for us ; but I suggest to the House that revenue or expenditure per head of population is no sure test, or indeed the only test, of the parsimony or extravagance of administration. The instance of the Punjab clearly shows the necessity of taking into consideration other circumstances, besides population, which I shall now proceed to examine.

The principal cause of the high *per capita* taxation is the large area administered and the comparative sparseness of the population. The number of square miles per million of population in the major provinces is as under :—

Bombay	..	..	..	6,400
Madras	..	..	..	3,400
Bengal	..	..	..	1,600
United Provinces	..	..	..	2,300
Punjab	..	..	..	4,800

It will be seen from the above that Bombay suffers from one natural defect which may be stated as either too much area or too low a density of population ; and this fact makes inevitable the employment of a larger number of officers per unit of population than would otherwise be the case ; whereas the unit of administration has to be determined not merely by reference to population but also by reference to area. In fact in some cases area plays a more important part than population. A school, a dispensary or a police thana can only serve a specified area.

33. The next important factor is the high incidence of salaries on account of the cost of living.

With regard to the Imperial and Provincial Services, the salaries are almost exactly the same in all the provinces, except with regard to special compensatory allowances in particular cities where the cost of living is exceptionally high. The Imperial scales of pay are all on a uniform basis.

In regard to the Provincial Services also, the salaries are almost exactly similar in the three major provinces, Bombay, Bengal and Madras. For example, the mukhtiarkars and mamlatdars in Bombay are in the grade of 200-15/2-260 with a selection grade of Rs. 275-15-350. The tahsildars in Madras are in the grade of 200-10-300 while in Bengal they rise from

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150 to 400. Deputy Collectors in Bombay are in the grade of 300 to 650, and Rs. 700 to 850 with a selection grade of Rs. 1,000 to 1,200. In Madras the grade of Deputy Collectors is from Rs. 300 to 850 with a selection grade of Rs. 1,000 to Rs. 1,200. Bengal has also a similar grade of from Rs. 250 to about Rs. 1,000. To take another important branch of the Provincial Service, that of sub-judges. In Bombay they rise from 300-50/2-650 and from Rs. 750-50-850 with a selection grade similar to that of Deputy Collectors. In Madras they have the grade of Rs. 300-40-500-50-850 with a selection grade like ours of Rs. 1,000-1,200. Exactly the same grade exists in Bengal. The grades in other Provincial Services are also similar with pays ranging from Rs. 250 to Rs. 750. From the above examples it will be seen that we do not pay an officer of the Provincial Service more than in other Provinces; but, as I have already explained, the number of officers to be employed is determined largely by the area and geography of the country.

In the case of subordinate officials and menials our standard of pay is, however, higher than in other provinces, and is necessitated by the higher cost of living. I am not sure whether honourable members will think that a higher cost of living is at all a measure of progress. Although the difference is more marked as compared with other provinces, honourable members with their jealous regard for the low paid establishments have demanded in various resolutions, that it be raised still more. For example, our scale of pay for clerks and peons in Bombay city is higher than either in Madras or Calcutta. We have to pay more to primary teachers. Our trained teachers get from Rs. 30 to Rs. 60 per month. In Madras they are paid from Rs. 20 to Rs. 50 per month. In Bengal there are practically no Government schools. In the aided schools the teachers are paid from Rs. 5 to Rs. 12 per month. Then again, the lower revenue officer, the talati, in Bombay gets a salary from Rs. 25 to Rs. 40. In Madras the maximum is Rs. 25. Constables are another big class. The city police in Bombay get Rs. 30 to Rs. 36. In Bengal they get less than Rs. 23 and in Madras between Rs. 22 and Rs. 30. In the district force constables in Bombay get Rs. 20 to Rs. 24, as compared with Rs. 17 to Rs. 22 in Madras and Rs. 16 to Rs. 20 in Bengal.

Mr. President, the above typical examples will show that if any discrimination exists it is in the pay of subordinate and menial services; and here Bombay must pay the price of being a more urbanised and industrialised province than any in India.

The presence of industries and general conditions of urbanisation leading to greater cost of administration is a common phenomenon in the world. Salaries of Government servants in England are higher than in France and higher in the United States of America than in England. The House has already been informed on previous occasions that the major portion of the increase of salaries is in the case of subordinate services. At the time these increases were given the effects of the war were still felt and they were then stated to be temporary and liable to reduction. It is for the Council and the staunch advocates of

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retrenchment to say whether there is a fruitful field for saving in this direction.

34. A third factor might also be operating though the standard of measurement in this case is very vague. It is true that we spend more on administration than in other provinces, but I think it is admitted that we give more and better services. Our educational staff in primary schools is said to be better qualified and trained than that of Madras or Bengal. I will show later what we have been doing in regard to communications. Of course, the point requires much more elaborate examination, but the possibility of this cause should not be overlooked altogether.

35. Moreover, in other Provinces the local bodies undertake many services and finance them from local revenues whereas in Bombay those services are undertaken by Government or mainly financed by them.

36. The extent to which local bodies depend in this Province on the assistance of Government is perhaps not sufficiently realised. We have collected some figures for the year 1924-25 for the four major provinces, and they will be found striking by the House.

In Bombay out of a total expenditure of 154 lakhs by all district local boards, Government contributed no less than 101 lakhs, or 66 per cent.

In Madras out of a total expenditure of 294 lakhs Government contribution amounted to 88 lakhs, or 30 per cent.

In Bengal Government contributed 29 lakhs out of a total expenditure of 122 lakhs, or 24 per cent.

In United Provinces out of 178 lakhs, Government gave 75 lakhs, or 42 per cent.

To the above may be added the grants we give to district municipalities which amount to :—

Bombay	..	..	..	26 lakhs.
Madras	..	..	..	16 „
Bengal	..	..	..	8 ..
United Provinces	..	..	..	8 „

(From the above I have excluded the grants to city municipalities owing to special circumstances and the agreements with those bodies.)

It will be seen from the above figures that the assistance given by this Government to local bodies is very substantial, over 1½ crores of rupees per annum ; and that therefore the charge made against this Government that the local bodies in this presidency are not pulling their weight to the same extent as in other provinces becomes difficult of refutation.

37. If the incidence of revenue is to be compared in the various provinces, the provincial as well as local revenue must be considered together ; or where Provincial expenditure is under examination, it should be given credit for the subventions which it gives to local bodies.

38. Finally, no better illustration can be found of these considerations than in the cost of administration in the municipal areas of this Presidency. I am giving below the expenditure per head of the district municipalities in the major provinces, excluding the capital cities. The figures for the

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Punjab are, I regret, not available. The figures are exclusive of grants from Government and represent expenditure met solely from local taxation

Province	Expenditure of District Municipalities <i>per capita</i> (excluding Government contribution)	
	Rs.	
Bombay	7.2	
Madras	4.1	
Bengal	3.2	
United Provinces	4.5	

These figures prove the necessity for higher cost of administration in this presidency. The expenditure in these areas is controlled by almost wholly elected municipal councillors, and will bear out the argument given above more conclusively than any words of mine.

Moreover allowance has to be made for the fact that in municipal areas at any rate the important consideration of extensive area and sparseness of population does not fully apply ; and yet it is significant that the comparison of their expenditure with other provinces is much the same as that of this Government.

39. The question of communications, the amount of money spent on roads and the desirability of a concerted policy in order to make roads suitable to and promote motor transport, has recently been brought into prominence both in the Councils and among the general public ; and the House may desire to know what this Government has done and how the question is being dealt with in other Provinces.

40. In paragraph 419 of their report, the Taxation Enquiry Committee said :

".....it must be remembered that India is very inadequately supplied with railway facilities, and the introduction of motor transport services in many provinces has brought the rural classes into closer touch with the cities. Motor lorries are also displacing bullock carts where there are good roads. It is difficult to exaggerate the political and economic advantages of rapid means of transport in India, and the development of motor transport services should, in the opinion of the Committee, be encouraged by the Government....."

41. The enormous development of motor transport during the last 10 to 15 years in all parts of the country must claim greater attention to roads and their construction. Before the railways came into existence the country was well supplied with trunk roads ; and there was also a fair net work of subsidiary roads connecting important towns and centres of trade. The railways frequently traversed similar alignments and were often running parallel to roads which were consequently neglected ; and it was found more desirable to turn to the construction and maintenance of short feeder roads at right angles to, and serving the railways.

That policy is justified by the results ; but so long as the roads were to be traversed by bullock carts only, the distance over which the surrounding country could be tapped was limited by the service that could then be rendered by this time-worn vehicle. Motors can cover a much greater

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distance ; and the development of roads for motor traffic would greatly help in speedily bringing both passenger and goods traffic to the railway line.

42. Honourable members representing rural districts are fully aware of the vast strides which motor transport, particularly catering for passenger traffic, has made in the districts in recent years.

Omnibus services are starting wherever possible ; and when, as will no doubt be the case, goods and agricultural produce are also transported in similar measure, the importance to agriculture, industries and commerce of a proper system of road communication cannot be overestimated. It is desirable, therefore, that the control of this development should be systematised under some definite policy.

43. This question has attracted attention in almost all provinces.

There is a Road Board in existence in the Punjab and a large road programme is under consideration there. This has been rendered possible by a Road Cess levied in that Province to finance the programme.

There is also a Road Board in Berar and the question of appointing one for the Central Provinces is under consideration.

Burma has had a Road Board for ten years ; and the provincial allotment for roads is placed at the disposal of the Provincial Board.

An advisory Road Board has been constituted in Madras. The roads there are classified into three categories :

Trunk Roads,
District Roads, and
Rural Roads.

The Madras Government undertake financial responsibility for the maintenance of trunk roads. In the case of district roads half the cost is paid by Government subject to a maximum. Rural roads are completely maintained by local authorities.

Bengal possesses no Road Board : nor does Bihar and Orissa.

Here in this presidency, under the skilful guidance of the honourable minister, we have not been behindhand. A strong Board under the presidency of the Honourable Minister himself and consisting of official and non-official representatives of the districts and of the motor and petroleum trades has already been constituted. It is collecting statistics as to the nature of traffic, heavy and light, carried in lorries or motor cars, and bullock carts or tongas, etc. Divisional Committees have been formed working under the Road Board. The case of Sind will require special consideration. Owing to the nature of the soil the work and maintenance of roads in that province is both difficult and costly ; and with the general development that is bound to follow on the completion of the great works at Sukkur, roads will no doubt be a necessity. It is proposed to appoint a special Engineer to examine the question with reference to the peculiar conditions of Sind, and to devise a method of financing a programme of new roads.

There is also a proposal to constitute a Central Road Board for the whole country, including Indian States, on which this presidency and

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all other presidencies will be represented. The powers and functions of such a Board will require careful consideration.

44. Honourable members will notice that there is a provision in the budget of five lakhs of rupees which will be expended in consultation with the Road Board. This sum may not seem too large : but it is all that our attenuated resources can afford until the Central Government is in a position to release a portion of the motor and petrol taxation to be shared in or utilized by the Provinces. It must be remembered that this sum of 5 lakhs is exclusive of the amount spent on the maintenance and repairs of roads and of the grants to local bodies for the purpose. It is interesting to note that Government spend annually more than 70 lakhs on the construction, maintenance and repairs to roads ; while, over and above this sum, 19 lakhs are paid as grants to local boards for the same purpose. The only return which Government receive is in the shape of tolls which amount to 7½ lakhs. These figures will well stand comparison with other provinces. For the year 1924-25 for which complete statistics for other provinces are available, it is satisfactory to note that while we have spent from revenue and capital 65 lakhs, Bengal has spent 27 lakhs, United Provinces has spent 48 lakhs, Madras 7 lakhs and the Punjab 46 lakhs only. These figures are exclusive of Establishment charges. Let us consider what this means per million of population. We have spent per million of population 6 times the expenditure of Bengal, 20 times that of Madras, 3 times that of United Provinces and 1½ times that of the Punjab, while if we consider this expenditure on a unit area (per thousand square miles in thousands of rupees) it works out as under :—

Bombay	..	..	..	52
Bengal	..	..	..	35
Madras	..	..	..	5
United Provinces	..	..	..	45
Punjab	..	..	..	46

These figures do not need any comment. It cannot be doubted that communications absorb a very fair, if not generous, share of our total revenues.

45. One reason why, in my opinion, motor transport requires encouragement is that it affords facilities for mechanical work and for healthy outdoor employment to a large number of people. Anything that can be done to achieve this twofold object requires encouragement. It is surprising how in out-of-the-way places, miles away from any workshop, ramshackle vehicles are kept together and give service ; while great resourcefulness is exhibited in overcoming mechanical difficulties.

46. There is an important matter in connection with accounts, which is now under our consideration, on which I should like to say a few words. I have been somewhat struck by the wide variations between the budget and the eight-monthly, and the accounts as finally closed. This is due to several causes such as adjustments between central and provincial governments, and in a greater measure to the fact that the controlling officers have no means of ascertaining the incoming of revenue and the

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outgoing of expenditure periodically or from month to month. This uncertainty leads to great inconvenience and is unavoidable so long as the accounts and audit are combined and are kept and conducted by the Central Government.

47. Under the existing system controlling officers find it difficult to watch their expenditure effectively because the central compilation of accounts involves delay by a couple of months and more. Not only would this delay be lessened and the true position brought to notice earlier, but there is likelihood of greater economy, as the system provides for a complete pre-check of all bills instead of the partial one at present in existence. The checks would be purely internal; and would be supplemented by regular audit by the staff responsible to the Auditor General.

48. The separation of Audit and Accounts must precede the separation of provincial from central balances. The former is the first step in the progress towards the financial independence which must accompany the reformed constitution; and the latter also is bound to come sooner or later with provincial autonomy. The control of banking accounts by each province will necessarily involve the management by each local Government of its ways and means; and the making of their own arrangements for the earning of interest. Hitherto the Government of India have acted as the banker for provincial governments.

49. The Reforms Enquiry Committee in paragraph 116 of their report stated that the advance towards autonomy depended upon the separation of provincial balances from the balances of the Government of India, and recommended that such administrative steps as are necessary to pave the way for provincial autonomy should be taken such as the separation of accounts from audit and the separation of provincial accounts from those of the central government. When this latter will be done, the balances of each province will be separate and it will be necessary for provinces not to overdraw their balances during the year. As provincial revenues are received at different seasons while the expenditure normally goes on throughout the year, this may present some difficulty to those provinces which do not possess a sufficient balance. It will not, however, affect those which like ours maintain the necessary balance.

50. This system of separating accounts from audit has been in operation in the United Provinces and we are informed that it has been working successfully in that province. We propose to watch that experiment with interest; and on its results being known to us, after the accounts of the full year are complete in April, we intend to investigate the experiment and, if satisfied, to approach the Government of India to try the experiment ourselves.

51. It is calculated that although in the first instance additional cost is involved, it is likely to be covered by economies in the reduction of treasury staff and the amalgamation of treasuries, and in the reduction of errors in bills. It is a question whether any additional expenditure that may be involved in this change can legitimately fall upon the provinces

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as the accounts and audit have so far been carried out at the expense of the central government. Like the United Provinces we propose to approach the Government of India for assistance in case this new system should cause larger expenditure. It will take a fairly long time for this experiment to be tried before any conclusion can be formed whether in its present state it is worth general introduction throughout India ; but it seems to be proper, in view of the financial and constitutional advantages which have been mentioned above, that an early trial should be given to this experiment in this Province.

52. Sir, the life of this Council will have special significance in view of the Statutory Commission. Every honourable member who has sought entrance into the portals of this Assembly is, I am certain, fired with the ambition of bringing to bear on every subject his knowledge, his experience, his political convictions and the wishes of his constituency. Government will welcome every such contribution to this common storehouse where we, no less than non-officials, are working sincerely for the public weal. In the troublous period that we have happily left behind us confusion of ideas and conflict of policies was inevitable. Let our constructive work be now informed by the simple but time-honoured principle of deciding each question on its merits so that at the end of our labours we may leave the lot of the people committed to our care a little happier, the realisation of representative Government a stage nearer and await with confidence the findings of the Commission. (Hear, hear.)

With these remarks I present the Budget to the House. (Applause.)

The Honourable the PRESIDENT: Order, order. The budget is duly presented and, as arranged, the House will meet to-morrow at 2 o'clock to discuss the budget generally. The House will now adjourn till 2 p m to-morrow, Tuesday, the 22nd February 1927.

Vol. XIX

Part IV



Bombay Legislative Council Debates

Official Report

Tuesday, February 22, 1927

[Price—Annas 5 or 6d.]

BOMBAY
PRINTED AT THE GOVERNMENT CENTRAL PRESS
1927

Obtainable from the Superintendent of Government Printing and Stationery,
Bombay, from the High Commissioner for India, 42 Grosvenor Gardens,
S.W. 1, London, or through any recognized bookseller

Tuesday, the 22nd February 1927

The Council re-assembled at the Town Hall, Bombay, at 2 p.m. on Tuesday, the 22nd February 1927, the Honourable the President, Mr. A. M. K. DEHLAVI, Bar.-at-law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Saheb
 ADDYMAN, Mr. J.
 AHMAD, MOULVI RAFIUDDIN
 ALLAHBAKSH walad Khan Saheb HAJI MAHOMED UMAR, Mr.
 AMBEDKAR, Dr. B. R.
 AMIN, Mr. H. J.
 ANDERSON, Mr. F. G. H.
 ANGADI, Rao Bahadur S. N.
 ASAVLE, Mr. R. S.
 ATAVANE, Mr. A. M.
 BALAK RAM, Mr.
 BECHAR, Mr. N. A.
 BHOSLE, Mr. M. G.
 BHURGRI, Mr. J. W.
 BHUTTO, Khan Bahadur S. N.
 BIJARANI, Khan Bahadur SHEER MUHAMMAD KHAN
 BIRADAR, Sardar MAHABOOBALI KHAN
 BOLE, Mr. S. K.
 BROWNE, Mr. D. R. H.
 CHANDRACHUD, Mr. N. B.
 CHATFIELD, Mr. G. E.
 CHIKODI, Mr. P. R.
 DABHOLKAR, Sir VASANTRAO
 DAGUMIYA, Mr. G. A.
 DAUDKHAN SHALEBHOY, Mr.
 DESAI, the Honourable Dewan Bahadur HARILAL D.
 DESAI, Mr. B. T.
 DESAI, Mr. J. B.
 DESAI, Rao Saheb D. P.
 DESHPANDE, Mr. L. M.
 DIXIT, Dr. M. K.
 DUGUID, Mr. A.
 FIRODEA, Mr. K. S.
 GHOSAL, Mr. J.
 GHULAM HAIDAR SHAH, Mr.
 GHULAM HUSSAIN, the Honourable Sir
 GHULAM NABI SHAH, Khan Saheb
 GILDER, Dr. M. D.
 GINWALLA, Mr. F. J.

GUNJAL, Mr. N. R.
 HARRISON, Mr. C. S. C.
 HATCH, Mr. G. W.
 HOTSON, the Honourable Mr. J. E. B.
 JADHAV, Mr. B. V.
 JAIRAMDAS DOULATRAM, Mr.
 JAN MAHOMED KHAN, Khan Bahadur
 JANVEKAR, Mr. D. A.
 JATOI, Khan Bahadur HAJI IMAMBAKSH KHAN
 JEHANGIR, the Honourable Mr. COWASJI
 JITEKAR, Mr. HAJI IBRAHIM HAJI MAHOMED
 JOG, Mr. V. N.
 JONES, Mr. W. E.
 JOSHI, Mr. S. C.
 KALE, Rao Bahadur R. R.
 KAMBLI, Rao Bahadur S. T.
 KARKI, Mr. M. D.
 KAY, Sir JOSEPH
 KHUHRO, Mr. M. S.
 LALJI NARANJI, Mr.
 LALLJEE, Mr. HOUSEINBHAY ABDULLAHBHAY
 LIGADE, Mr. S. P.
 MAJMUDAR, Mr. N. G.
 MANSURI, Khan Saheb A. M.
 MARTIN, Mr. J. R.
 MEHTA, the Honourable Sir CHUNILAL
 MIR MAHOMED BALOCH SHAIKH, Mr.
 MONTEATH, Mr. J.
 MUJUMDAR, Sardar G. N.
 MUKADAM, Mr. W. S.
 MURZBAN, Mr. P. J.
 NAIK, Rao Bahadur B. R.
 NANAL, Mr. B. R.
 NARIMAN, Mr. K. F.
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 PERRY, Mr. E. W.
 PETCH, Mr. F. W.
 PRADHAN, the Honourable Mr. G. B.
 PRADHAN, Mr. R. G.
 RAHIMTOOLA, Mr. HOUSENALLY M.
 RAJMAL LAKHICHAND, Mr.
 RINU, the Honourable Mr. J. L.

SARDESAI, Mr. S. A.
 SAYED MUHAMMAD KAMIL SHAH
 SAYED MUNAWAR, Mr.
 SHAIKH ABDUL AZIZ ABDUL LATIF, Mr.
 SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
 SHETH, Mr. A. D.
 SMYTH, Mr. J. W.
 SOLANKI, Dr. PURUSHOTTAMRAI G.
 SURVE, Mr. V. A.
 SWAMINARAYAN, Mr. J. C.
 TAUNTON, Mr. I. H.
 THAKOR OF KERWADA, the
 THORNBUR, Mr. J. P.
 TURNER, Mr. C. W. A.
 VANDEKAR, Rao Saheb R. V.
 WADIA, Mr. C. N.
 WILES, Mr. G.
 WINTERBOTHAM, Mr. G. L.

The Honourable the PRESIDENT: Order, order. I have now to announce the assent of the Governor General to the Acts passed in the last Council. The following Acts have, since the close of the last session, received the assent of His Excellency the Governor-General:—

1. An Act to consolidate the law relating to the courts in Sind.
2. An Act further to amend the Bombay Port Trust Act, 1879.
3. An Act to amend the Bombay Prevention of Prostitution Act, 1923.
4. An Act to amend the Bombay City Municipalities Act, 1925.
5. An Act to amend the law relating to the emoluments claimable by hereditary Hindu Priests.
6. An Act further to amend the City of Bombay Police Act, 1902.
7. An Act to amend the Bombay District Police Act, 1890.

Now to the general discussion of the Budget. But before I proceed, I must lay down a time limit for speeches. I find that 20 minutes have been given so far for the length of speeches. I propose to adopt the same time limit, and I shall watch for two days of the discussion whether that satisfies the requirements of the House. If I find on the third day that there are yet many honourable members left who want to speak on the subject, I may have to put down 15 minutes' limit.

Mr. LALJI NARANJI (Indian Merchants' Chamber): Sir, before I go to the general discussion of the budget, I have to express satisfaction at the satisfactory understanding arrived at between Indians and the South African Government, and I have also to acknowledge with gratitude the help which the European community have given in making such representation to the Union Government in co-operation with the Indians.

[Mr. Lalji Naranji]

Sir, this is a budget which has been presented to-day by the first Indian Finance Member. He himself has referred to the unfortunate condition of the finances of our presidency, and I believe he is not to blame for the circumstances and the financial condition in which this presidency is found to-day. The budget is only a statement which shows how Government proposes to utilise the monies that will be placed by this House at their disposal. The monies that are placed at the disposal of the Government are placed by three kinds of taxation, namely, (1) direct taxes, (2) indirect taxes, (3) no-tax revenue taxes. Direct taxes are taxes of the nature of land revenue ; indirect taxes are taxes of the nature of excise ; no-tax revenue tax requires a little more explanation. No-tax revenue taxes are of a nature which will produce revenue to the Presidency from sources which will neither directly nor indirectly make a call on the residents of this presidency. That is a method of taxation which has been adopted in prosperous countries which can afford to risk some of their accumulations of wealth and hazard their own finances. Our Government, always claiming to be progressive, I believe, were convinced that the limit of taxation under the present circumstances was reached and they, in search of other resources from the year 1921, have taken up the policy of finding resources for no-tax revenues.

It is of the nature of capital commitments. Before I explain how the no-tax revenue sources were attempted to be had by Government and how the result of those attempts has brought us to the path of ruin and bankruptcy, I should like to point out the disabilities under which we suffer under the Government of India Act. Every one of us has heard about dyarchy and its unsatisfactory consequences so far as it is political, but I would now point out that the unsatisfactory dyarchical arrangement of the finances of both the Provincial and the Central, of which the explanation is given in the explanatory memorandum of the Under Secretary of State for India on the accoutts of 1926-27, which has been circulated to all the honourable members of this House, is the real cause of our financial difficulties. On the first page of that document, honourable members will find the explanation for the separation of the finances into Central and Provincial. You will find in that explanation that there are certain heads of revenue that are given to the Provinces, and certain other heads are appropriated by the Central revenues. If we analyse the speech of the Honourable the Finance Member, we shall find that the failure of our finances is attributed not only by himself but by his predecessor to the unfair separation of resources of our industrial province by the Meston Settlement. The inhabitants of this Presidency have to pay taxes not only to this Government, but they have also to pay taxes to the Government of India. How the Provincial Governments and the Central Government have divided among themselves such sources of revenue as were available has been a bone of contention. Unless the Government of India readjusts the Meston award and gives justice to this Presidency, our finances will always and the Finance Member to look for more revenue. Whatever Government have said in the past, whatever the predecessor of the present

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Finance Member, to whom he has given every compliment, has said in the past, and whatever views the present Finance Member holds, I will prove from the figures that his contention that there is a great scope for the increase of revenue of this presidency is belied. Our main item of revenue is Land Revenue, and the figures that are given in the Blue Book will convince honourable members that there has been very little progress under that head, which is nearly one-third of the revenue of this presidency. The next source, Excise, instead of expanding is to be reduced gradually. Stamp revenue is in the same condition owing to depression in trade. When this Government felt that there were no further sources of direct or indirect taxation, it led the predecessor of the present Finance Member to finding out sources of no-tax revenue. Our Government then was led to entertain proposals of big capital commitments of the nature of Development Department. The whole responsibility of such capital commitments and losses now admitted to the extent of 411 lakhs by them—but such losses are really much more—belongs to Sir Henry Lawrence who went on supplying funds. In the evidence that Sir Henry Lawrence gave before the Back Bay Committee in England he said he has not lost a pie in spite of the loss admitted by him to the extent of 3 crores to meet which he provided 20 lakhs. I am sure the House will feel in what condition our presidency has been placed by these attempts to find out sources of no-tax revenue. That can be seen at a glance from the statement in the Blue Book of the debt charges. From statement VI on page 33 of the Blue Book, honourable members will find that this presidency to-day is under a debt of Rs. 46,97,00,000, including the deduction of Rs. 2,20,00,000 which the Honourable the General Member expects to receive from plot No. 8 of the Back Bay scheme; otherwise, it would have been nearly Rs. 50 crores. From the figures that are given by the Honourable the Finance Member in his speech, on page 10, you will also find confirmation as regards the total outstanding debt. He says that the total outstanding debt is Rs. 24·87 crores. The next item is Rs. 631 lakhs for the Sukkur Barrage up to the end of the next year. For other irrigation the expenditure is Rs. 221 lakhs. Under Civil Works, Public Health, Forest, etc., there is a debt of Rs. 391 lakhs, and the loans to public bodies amount to Rs. 2·52 crores for the Port Trust, Rs. 4·45 crores for the Improvement Trust, and Rs. 8·33 crores for the Bombay Municipality. Over and above that, there is a pre-Reform liability of Rs. 8·91 crores, which is not to be redeemed. Lastly, there is the liability of Rs. 1·31 crores to be repaid to the Government of India. The total of all this will come to Rs. 63·02 crores. In the Blue Book it is also pointed out that the balance required in future to be borrowed still remains at Rs. 13,51,98,000. The total figure will come to roughly Rs. 77 crores. It may be said that the loans that are given to the Port Trust, the Improvement Trust and the Bombay Municipality are to be recovered, but no one can deny that to that extent the finances of this Presidency have been pledged by our Government being guarantors. In spite of all this, the Honourable the Finance Member has been very

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optimistic, and on page 10 of his speech he says that the debt repayable is less than two years' ordinary revenue, and that a debt of this magnitude, most of which was incurred for productive purposes, cannot be said to be excessive. Sir, I could have certainly expected these remarks from a Finance Member trained in the traditions of the I. C. S. school, but I could never have expected them from one who comes from my own constituency, and who was taken up by Government first as a Minister and then as the Finance Member. I could never have expected one who belongs to the merchant class to defend Government in this way. I should have expected him to take his courage in both hands, and he should have condemned the past policy of borrowing, which will lead this House to pledge the revenues of the Presidency to the extent of Rs. 77 crores. It is no small amount of debt. After all he may give some figures to which I may have no occasion to reply. I may tell the House that I have been repeating for the last four years that our policy of drifting into debts is the most ruinous policy, but Government have lent deaf ears to our protests. Therefore, at the time of the motions for omissions and reductions of grants, I would appeal to the House that they should forget all their party differences and put a stop to all further capital commitments, and save this Presidency from further ruin by unnecessary more debts. I may also tell the Honourable the Finance Member that, however rosy a view of the future he may take, that view is not shared by the Accountant General, who is an officer of the Government. I will refer to his remarks in the last Appropriation Report on the Accounts of the Bombay Presidency for the year 1924-25, which has been circulated to all the honourable members. On page 16 of the report, he refers to our commitments. I would like to show that our real revenues, whatever may be their estimate according to Government, are Rs. 13.63 crores and not Rs. 15½ crores, because there are cross debit and credit entries. Our statutory commitments go to a very big figure. We find on page 3 of the report of the Public Accounts Committee which included the Honourable the Finance Member also, the remarks of the Accountant General about the inability of the local Government to meet this statutory obligation from the ordinary revenues of this presidency. The Auditor General warns that the financial situation is likely to be serious in the near future : and this subject engaged their serious consideration. The Honourable the Finance Member admits that in that report in the following words : " We are all impressed with the urgent necessity of reducing our loan commitments." The Honourable the Finance Member himself has signed the report. But I am sure that he will say that he has reduced the annual capital commitments to the extent of 2 crores by providing the amount for the Lloyd Barrage and other irrigation works from the cash balances. But I call that proposal debt. This will also include a very big sum provided for the Development in the current budget and nearly 86 lakhs will have to be provided by way of interest only on the Development loan over and above about 65 lakhs to be spent in new works for Development. As it has been observed by the Public

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Accounts Committee and the Auditor General this subject must engage our serious attention. The report I refer to relates to 1924-25 and since then our liabilities have increased to the extent which I have shown just now. In view of these facts I appeal to the Honourable the General Member and the Honourable the Finance Member to sit tight over the purse and not waste money on capital expenditure such as the Back Bay by continuing the works further on blocks 2 and 7. Yesterday we were surprised to hear that work in some parts of blocks 6 and 5 is going to be undertaken. The opinion of the Government on the basis of the committees they have appointed, whatever it may be and however good it may be to this Presidency, should not be thrust on the Presidency if it does not want it. I appeal to the mofussil members to see how their progress has been stagnating for the last so many years. What do you find from the statement presented by the Honourable the Finance Member? I do not blame him because he is helpless. We have to provide 20 lakhs every year to meet the loss of 3 crores on the Back Bay scheme admitted by Government since last year. To meet the loss of 111 lakhs on the suburban scheme admitted this year we have to provide an additional 7½ lakhs every year. The House will realise that there are other losses which have yet to be met which will be admitted in future when Government cannot suppress any longer. The report of the Housing Scheme Committee is not yet out and it has been deliberately withheld by the Development Department. I can say this with certainty because one of the members of our Chamber is a member of that Committee. He tried his best to bring this report before the House, but the report has been withheld by the Development Department for reasons best known to themselves. I hope the Honourable the General Member will give an explanation. Therefore we have to anticipate still further losses which we will have to meet later on. All this harm has been done to this presidency by the past Government of Sir George Lloyd. He embarked on speculative undertakings in spite of the genuine opposition not only from this House but from commercial bodies like the Bombay Chamber of Commerce and our Indian Merchants' Chamber.

The Honourable the PRESIDENT: The honourable member's time is up.

Mr. LALJI NARANJI: I will not take more than 5 minutes.

The Honourable the PRESIDENT: I will give him two minutes more.

Mr. LALJI NARANJI: I will just make one or two suggestions as to how to meet this deficit. I appeal to the Honourable the Finance Member to take courage in both hands and cut down the top-heavy administration. We do not want any reduction in the menial staff service. The Honourable the Finance Member compared the administration of the Punjab and Madras with that of this presidency. He has omitted to compare the salaries given there with those given in this presidency. Not a single executive councillorship has been abolished, not one minister's post. The three commissionerships have not been abolished. I under-

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stand even in Madras and other provinces the commissionerships do not exist. I take pride that the Honourable the Finance Member represents our constituency, and I wish he will have the courage even at the risk of incurring the displeasure of the Government to cut down top-heavy administration. I congratulate the Honourable the Finance Member who belongs to a mercantile community on the fact that he has been given the portfolio of finance, and I appeal to him to establish this principle. I appeal to the House to give up small quibblings and unite on this one point and carry out my suggestion. It has been shown that it is not possible to meet the deficit by any further taxation and it is also clear we have got large liabilities the legacy left to us and the Honourable the Finance Member by the Lloyd's Government. Sir George Lloyd has not only not taken care of the presidency's finance, but he has landed this presidency in an unfortunate position the result of which we see to-day before the House.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Mr. President, the honourable member who preceded me has pointed out that losses of the development department are growing, and they have now grown beyond four crores. Last year we were told that the net loss of 3 crores on the Back Bay Scheme has to be met by an annual provision of 20 lakhs ranging for a period of 20 years. We are now told that we have to make an additional provision of $7\frac{1}{2}$ lakhs for meeting the loss of 111 lakhs on the Suburban Schemes. Now imagine that these 27 $\frac{1}{2}$ lakhs will have to come from the general taxpayers who are mainly agriculturists, because the greatest part of our revenue comes from the agriculturists who pay land revenue. Now, for providing amenities to Bombay people the agriculturists have to pay out of their pockets an annual sum of 27 $\frac{1}{2}$ lakhs, distributed over 60 years, which means 4 generations. The Bombay presidency is known to be a specially famine-stricken presidency. Therefore, 63 lakhs were provided for the purpose of famine relief in devolution rules. Now, because the policy of Government has brought about an annual loss of 27 $\frac{1}{2}$ lakhs of rupees, the proposal is being put forward by Government, on the strength of the Public Accounts Committee's recommendations, that the famine assignment of 63 lakhs should be reduced to 33 lakhs. That is to say, the famine-stricken people of the mofussil are to be made to pay the losses that have occurred in the operations that were carried on in the Bombay City. Now, what I want to point out is that the Public Accounts Committee's decision to reduce this famine assignment is not unanimous. I was a member of the Public Accounts Committee, and I protested at that time against taking away even a single farthing from the poor famine-stricken people. I want to point out to the House that not a pie should be allowed to be taken away from the Famine Fund. It is because of the existence of that fund that some good projects, minor irrigation works and protective works, were being executed for the last two or three years. That policy was laid down by the last Finance Member and it is being slowly pursued. Now, in order to meet this loss and in order to make both ends meet this amount of 30 lakhs is to be taken away from the assignment. Now, when the

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people in the rural areas pay so much revenue to Government, they have every right to expect their distress to be relieved by Government. Instead of relieving their distress, what do we find Government doing? We find that Government want to take land revenue from them by the harshest possible measures. The agriculturists experience much distress in the rural areas; there is distress in so many parts of the Presidency, in Gujarat, Bijapur and Ahmednagar—they are eating grass in certain areas; they have not even a single grain to eat. Perhaps they may get unruly and commit thefts for the purpose of lengthening their lives. When this is the condition which the agriculturists have been put to in certain areas, Government want to recover not only the full revenue from them, but they want to recover also half the revenue of the last year. The agriculturists are ready to emigrate to other places, and even in this condition they are threatened with attachment for the purpose of recovering revenue and the harshest possible measures are adopted by the revenue authorities. Government want to take money from these people because they have lost money in Back Bay. They say they are giving remissions and suspensions, but that is only a few lakhs. Government themselves admit that excessive rains have destroyed bajri and jowari crops. Even winter crops, namely, rabi crops have been destroyed by locusts and frost. This time the locusts visited various places not once or twice, but eight or nine times. They paid regular visits to those places and destroyed crops and left no remnants to the agriculturists.

Such is the condition of the people, and we know what we can expect in the way of retrenchment. The Honourable the Finance Member has stated that the Legislative Council might point out a fruitful source of retrenchment in the case of the salaries of the subordinate staff and the menials, because the Indian Civil Service members and members of the other Imperial Services got the same salary as in other parts of India, such as Madras and other provinces. The difficulty is that we in this presidency, with a very small population of nearly 2 crores, are saddled with a larger number of members of the Imperial Services than necessary. I am surprised that in these days, when there is a famine and a deficit in the budget, we are getting 11 new recruits to the Indian Civil Service as against 4 new recruits of the last year. It will be seen from page 94 of the Civil Budget Estimate, that last year we had only 4 recruits, but this year we are to have 11 recruits. That is to say, the Presidency is to be saddled with 11 Indian Civil Service members for whom we will have to provide salary for 30 years. Now, on a cadre of 22 Collectors and 34 Assistant Collectors, a total of 56, 4 vacancies may be considered normal. I do not know why 11 recruits are foisted on the Bombay Presidency when the finances of the presidency are in such a bad condition.

Now, when Government have not a soft corner in their heart for the millions of peasants who are working from morning to eve to contribute the greater portion of the treasury's revenues, they have a very soft corner for the liquor contractors. Such good sentiments of course never generally arise in the minds of Government, but Government

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say that these liquor contractors were subjected to reckless bidding, intimidation and blackmail and therefore Government inaugurated the system of simultaneous auctions. The result is they have lost about 30 lakhs of rupees. (An honourable member : How ?). Because to the 8 lakhs decrease in revenue we have to add the 22 lakhs on account of past years' profits. But for this extraordinary receipt of 22 lakhs, there will be a total loss of 30 lakhs in still head duty and vend fee, etc. I think there was no blackmail against the bidders, but the Government were blackmailed by the bidders. In Ahmedabad the auction of country liquor shops was held twice. In the first auction Government realised $4\frac{1}{2}$ lakhs less. Then there was some agitation and Government thought it advisable to hold the auction again. Again the same bidders came forward and Government realised $2\frac{1}{4}$ lakhs more. Still there was a loss of $2\frac{1}{4}$ lakhs. That is to say, the bidders whom Government wanted to protect have not been blackmailed, but by forming combinations the bidders have blackmailed Government. When Government get less revenue by their mistake, they say : " Oh, no, no. The House compelled us to adopt the policy of prohibition, and by progressing towards prohibition we have suffered a loss." That is not an argument that we can accept. It is not by pursuing the policy of prohibition that Government have realised less revenue. Then, Sir, the Honourable the Finance Member says that by increasing the taxation Government would get more money. But this is in my opinion absolutely false, because as soon as you increase taxation beyond a particular limit, the law of diminishing returns begins to operate and there is a decrease in revenue. I would also point out, Sir, that this fact has already been admitted by the Honourable the Finance Member when speaking about the stamps revenue because though stamps duty was raised, revenue that was anticipated to be 201 lakhs, has actually been only Rs. 186 lakhs.

Now, Sir, we are also told that a Retrenchment Officer has been appointed. But we do not find any retrenchment so far made. I find that the compensatory allowance still continues. It is, indeed, a scandal. It must be stopped at once. And why is it so ? Because this allowance is not given to the poor who are drawing Rs. 40 or Rs. 50 salary per month, but it is given to people who are drawing fat salaries, that is to say to the Indian Civil Service and other highly paid men. I do not think that these men will be starving the moment this compensatory allowance is discontinued. We find that we are now going to pre-war conditions and the effects of war are gradually disappearing. So, I do not see any reason why this compensatory allowance which was brought into being just after the war should be continued. But this is an item over which we cannot utter a single word, being a non-votable item you cannot touch it, and the poor taxpayers have to suffer. We are told that this allowance has been sanctioned by the Secretary of State. But I say, Sir, that if the sanction has been given by the Secretary of State under conditions which were then existing, it is not necessary that it should continue even now when we find the conditions improving. If the Secretary of State was induced to sanction this allowance, he should be induced to do away with this allowance.

The Honourable the PRESIDENT : The honourable member has only five minutes more.

Mr. J. C. SWAMINARAYAN : What I want to point out is this. There is a great necessity for retrenchment being effected in Ministers and other high Officials, as the honourable member for Indian Commerce, who preceded me, pointed out to the House. Formerly, if the work was being done in the Secretariat with less number of officers than at present, how is it that the same work cannot be done now ? You know that too many cooks spoil the broth, so also too many officers spoil the state of affairs. We also find, Sir, that in one district there are mamlatdars, deputy collectors, assistant collectors and the collector. The mamlatdar is responsible for his taluka. But we generally find that the deputy collector spoils the work done by the mamlatdar. There ought to be one mamlatdar responsible for one taluka and the Collector for the district. Between the Collector and Government we have got a Commissioner so that the correspondence is unnecessarily delayed and the work is not properly done. Deputy Collectors are mere post offices between the mamlatdars and the Collectors, while the Commissioners are post offices between the Collector and Government. The abolition of these post offices will make considerable saving. Government should, therefore, effect retrenchment in this direction. Here, in this presidency *per capita* taxation is Rs. 7 per head while in Bengal the taxation is only Rs. 2 per head. This fact has been admitted by the Honourable the Finance Member and still the Government is not satisfied with the taxation levied on the presidency.

That is one source of retrenchment. Another source is that Government should cease to move from one place to another. Where is the necessity for the Government to move from Bombay to Mahabaleshwar and from Mahabaleshwar to Poona and from Poona to Bombay ? It is unnecessary waste of public money, because when the Government goes to Poona, it has to take with it its officers, staff and peons which means an additional expenditure. I do not see any reason why the Government should not be stationary in one place for twelve months. This proposal, I think, was made by the Retrenchment Committee, and if it is given effect to, I am sure there will be a great saving in the expenditure. But it may be argued that Ministers, Executive Officers and others are not able to face the hot climate of Bombay in the hot season, and it is necessary for them to go to Mahabaleshwar. (Laughter). Such an argument is untenable and the exodus to the Hills must be stopped. I must tell the Government to give effect to these proposals in the interests of the poor taxpayers who are perspiring from morn to eve for filling Government treasury.

Rao Sahab D. P. DESAI (Kaira District) : Sir, I am much disappointed with the budget and have to make the usual complaint that the budget copy is not given to the honourable members of this House in time. It was not supplied to many of the members sufficiently early to consider it more fully.

Again, Sir, at the last budget time I had stated that the Finance Committee elected by this House should be given more power. At

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present the Finance Committee is quite a mysterious body and is simply a formal body before which, if my memory be correct, only a few items selected by Government are brought. To my mind all the items that are in the White Book should be placed before the Finance Committee, and the White Book should be in the hands of the members with the remarks of the Finance Committee on each and every item contained therein. The Finance Committee should also have the power of diversion of funds. If the Finance Committee consider that a particular item in the White Book is unnecessary but at the same time desire that the expenditure should be incurred in a particular direction, that power should be given to the Finance Committee. Of course, as the committee is, after all, an advisory committee, its decisions will not be binding either on Government or on this House. That I know. But at the same time I know that it is desirable that we should get the guidance of the Finance Committee in that matter.

Now that an Indian Member is in charge of the Finance portfolio, I thought, Sir, that he would carry on the traditions of this country and the aspirations of this side of the House to the reserved side. But I am sorry to say, Sir, that he has failed, and failed ignominiously in satisfying our aspirations. Let us examine, Sir, where we were and where we find ourselves now : and that will be a sufficient reply to the Honourable the Finance Member. Unfortunately, he selected the starting point of 1921-22. If I were in his place, I should have selected 1920-21, because just after the year 1920-21 the reforms have begun. 1920-21 was the last year before the reforms, and if you compare the expenditure on the transferred departments and the reserved departments in the year 1920-21 and again in the year 1927-28, you will find that though there is an increase of 2 crores of revenue, the increase in the reserved departments is about Rs. 190 lakhs. Can he (the Finance Member) show that increase in the transferred departments ? The transferred departments show a loss of Rs. 4 lakhs. That is, the transferred departments get at present Rs. 4 lakhs less than what they got in the year 1920-21, and this reformed Council was constituted by the Parliament in order that the representatives of the people might make better progress than under a bureaucratic Government, and I am sorry to say, Sir, that in these nation building departments we have hopelessly failed. And why have we failed ? Whose fault is it that we have failed ? That I leave to the honourable members on this side and to Government to say.

The Honourable Sir CHUNILAL MEHTA : May I ask if the honourable member will give details of this increase in the reserved departments ?

Rao Saheb D. P. DESAI : Do you want the details now or afterwards ?

The Honourable Sir CHUNILAL MEHTA : Any time you please ; the sooner, the better.

The Honourable the PRESIDENT : Order, order. Wherever there is a question asked by an honourable member from one side or the other to an honourable member speaking, he has all the same, while replying, got to address the Chair and not to reply direct to any individual member.

Rao Saheb D. P. DESAI : I bow to your ruling, Sir. I request the Honourable the Finance Member to refer to pages 30-31 of the Blue Book and compare the figures of the year 1920-21 with those of the year 1927-28. By adding and subtracting the figures he will find that the transferred departments are paid less at present than what they were paid then, though the revenues of the presidency have increased by 2 crores, during the meanwhile. Even if we deduct the irrigation expenditure of 51 lakhs for the year 1920-21, there is still Rs. 125 lakhs more for the reserved departments. Then the increased revenue is gone. My honourable friend the Finance Member blames the Meston Settlement for our misfortunes and I fail to understand how the Imperial Government will agree to the sort of settlement our Government desire. Our Government, whenever the Government of India refused to do justice, have quietly submitted to the Government of India in a very obliging fashion and come to this Council for more funds. And this very Council has agreed to give them more funds. If this Council had refused more funds and if this Government had sat tight on the Government of India, I do not see any reason why the Government of India should not have accepted our Bombay Government's view. But our Government always led the Government of India to believe that this presidency was richer than the rest of India. And indeed the impression of the Government of India is that the Bombay Government is the richest Government and they do not stand in need of any help. So, if the Bombay Government had sat tight on the Government of India, I do not see any reason why this Government should have been treated differently from other provinces. And if they had taken my advice and issued appeals and notifications to the public not to pay the income-tax, income-tax payers would at once have ceased to pay the income-tax. And even now if our Government issues such an appeal to the income-tax payers not to pay the tax so long as the Indian Government do not render justice to this Government, that appeal will receive satisfactory response from the public. The attempts on the part of this House to make Government retrench on the reserved side were for the purpose of making the savings affected available for the transferred side. With this view the non-official side brought resolutions, and is daily bringing in resolutions involving expenditure and I should think that the Honourable the Finance Member should not have taken the resolutions moved by this House in any other light but this light, *viz.*, that Government have got to cut down expenses on the reserved side and to make provision for all those matters recommended by the non-official side through its various resolutions.

The Honourable the Finance Member has shown some anxiety for the Land Revenue. Here I think he has touched the most vital matter in the Government of this country. He is perfectly aware that, as my honourable friend from Ahmedabad has stated, the land revenue at present is being realised from poor agriculturists who have suffered heavy losses either by locusts or by excessive rains or other causes. I may state here that in the whole presidency from Sind down to the Southern Division there are so many districts where the crops have failed that it is cruel to

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allow the Collectors to collect land revenue not only for this year but half the revenue of the previous year. I have received many applications complaining that the revenue authorities are hard on the agriculturists and that they are demanding not only this year's revenue, but half the revenue of previous years. Unfortunately, the money market of our presidency is at present in a very disorganised condition, and the policy of the Indian Government, which has now deflated the currency, has made money scarce. Besides under Government orders branches of the Imperial Bank have been opened in every district and the result is that capital from the mofussil has been taken away from it to such an extent that the poor cultivators do not get a pie to pay the Government revenue. The Government must realise this position. I have been saying that if Government want to improve the condition of this presidency, they must better the lot of the agriculturists who are the most important buyers and at the same time the most important sellers and therefore their condition must be made far better than what it is now. Every one, be he a Government servant or a millowner, or a professional lawyer or a doctor, has to depend upon the agriculturist who should therefore be kept contented. That should have been the aim of this Government, but unfortunately a wrong policy is being pursued with the result that the industries are going to dogs and our professional men are not able to earn what they should earn looking to the education they have received. The activities of our Government unfortunately are directed towards those matters which they consider to be more useful for society than any activities directed for the uplift of agriculturists, and with a lavishness unprecedented in the history of the world, they set about squandering crores of rupees over schemes which are not going to pay a pie. The Honourable the General Member will find if he refers to the Development Budget that after the last pie of expenditure on the whole development is spent, he will still find about 14 or 15 crores of rupees are left to be met anyhow by this presidency, because the interest charges will also increase as time goes on. Agriculturists are made to pay 20 lakhs of rupees every year to meet the deficit on the rents of the chawls in Bombay, and now a further amount from our provincial balances of about 7½ lakhs is being set aside for meeting the losses on the suburban schemes which amounts to 111 lakhs of rupees. After all the actual revenue on the Development Budget is about 10½ lakhs from the sale of electricity, water, etc., and 6 lakhs from rents of properties.

The Honourable the PRESIDENT : The honourable member has only two minutes left.

Rao Saheb D. P. DESAI : I shall leave the Development Department now, Sir, and come at once to the most vital question which was raised by a previous speaker, namely, the increase in the salaries, etc., of superior services. We find an increase of 30 lakhs during the recent years in the All-India services, and 30 lakhs increase was made in the provincial services which comes to 60½ lakhs. Ten lakhs added by the Lee Commission, gives us 70½ lakhs. Out of the amount of 297½ lakhs which has been spent in the increase of salaries during the last ten years, about

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70½ lakhs have gone to meet the demands of the higher services. If the Honourable the Finance Member wants to carry out the ideas and wishes of the non-official side, he should first of all begin by curtailing from the amount of 70½ lakhs and then he should touch the other amount of about 2 crores or so which is spent over the increase of salaries of clerks and other subordinate staff.

Mr. A. D. SHETH (Ahmedabad District): I rise, Sir, to address the House not with little amount of trepidation. I am a young member of this House, probably the youngest, a new comer, and directly coming from the rural areas. Imagine then, Sir, my difficulty that just when I step in I am showered with piles of the budget reports, so very complicated and so very voluminous. At least in pity to us, the new comers, the Government ought to have given us some time to get into touch with the new atmosphere. The Council atmosphere is altogether new to us; the budget is quite a puzzle to us, and we would have thanked Government very much if the budget could have been given to us some sittings after. Any way, I will make one request to the Government, in the interest of new comers, to come henceforward, not to be cruel to them as they have been to us now, at least in the first budget session of the Council.

Sir, I come with no prejudices. On the contrary, there is a feeling of joy in the innermost chamber of my heart to see a number of my countrymen sitting on the opposite benches as the Government, one of them the most disinterested and no less patriotic and wealthy citizen, devoted to service, sitting as the Leader of the House and the Finance Member. Sir, very recently a venerable friend of mine told me that the late Honourable Mr. Gokhale was so enamoured of the then young Mr. Chunilal Mehta that he went to Sheth Vijbhukandas and asked him if he could spare the young man for the Servants of India Society. In such a Sir Chunilal I had great expectations; from the disciple of Gokhale, than whom no greater financial critic the Government has found in the Imperial Council, I had very great expectations, but I am pained to say that I am greatly disappointed.

Sir, I do not want to dwell at length on the sneering tone of the Honourable the Finance Member about the Swaraj Party, the mandates from outside the Province, etc. I would say, let the Honourable the Finance Member not forget that our motherland is one formidable whole, and no jibes and no sneers, from whatsoever party, European or Indian, small or great, can divide my motherland into parts. We are here the servants and sons of the great mother India, and we are not ashamed of taking our orders from that great institution which speaks in the name of India the mother of all of us, the Indian National Congress. I rather expected some bold and patriotic things from Sir Chunilal; such jeers and jibes at least from him were the least to be expected. We know, Sir, we are a disconcerted force to-day in this Council, a depleted army. We also know that on the opposite side there is a formidable force arraigned on the side of the Government, thanks to the very clever, though not very right, way of managing things in the distribution of the spoils

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of offices, that has given such a formidable force to the Government. Any way, there the fact stands that the Government to-day is possessed of very great voting strength, and it is the knowledge of that force and that voting strength that speaks, and not Sir Chunilal I hope, when all these things about the Swaraj Party, etc., have been said. But, Sir, let not power intoxicate the Government. Time will have its revenges, and then will be proclaimed the judgment as to who was right and who was wrong.

The Honourable the Finance Member has spoken of very valuable work done by the Council and in the Council. Yes, very valuable in the shape of Back Bay blunders and development muddles. The Council was very valuable to Government, inasmuch as it was a very handy tool in their hands, who voted out great grants on development and on the Back Bay. The Mears Committee has recently reported, and they have said that the estimates of Sir Lawless Hepper, the Director of Development, who prepared the reports, were not justified. He concealed material truths, and on that strength and on that score great grants were taken by the Government from the Council. I mean to say that the Council was valuable to the Government who wanted the money for development and for Back Bay, etc. To that of course I have very little objection. The Honourable the Finance Member has then referred to his very able and skilful predecessor who accumulated great balances, as the Finance Member says. I agree, Sir. He was very skilful and very able. I also agree that he made great accumulations. I only differ with regard to one word, I differ with regard to the word "balances." I only put the word 'debts' instead. Very able, very skilful and very clever people as they were, they have accumulated great debts for this Presidency, for which many generations of the Bombay Presidency would treasure the memory of those great predecessors of Sir Chunilal, namely, Sir Henry Lawrence, Sir George Curtis, etc. Before the Back Bay Committee, presided over by Sir Grimwood Mears, this very Sir Henry Lawrence, about whom the present Finance Member has spoken in such fine terms, spoke about Bombay and Bombay's taxable capacity. And what did he say? He said that Bombay has not still reached the limits of its taxable capacity. Sir Henry Lawrence would have given us some more death taxes and some more birth taxes, etc. Of course, we have to be thankful to the present Finance Member, who has not given us anything in taxation. He has given us a very unobtrusive though uninspiring budget. That is the record of the predecessors of Sir Chunilal. I differ from the view of the Honourable the Finance Member when he says that those very skilful and very able Members of Council have done any good to our Presidency.

I would now come to the financial side of the budget. I do not want to go into details; I do not want to go into the different heads just now. I know that my time is limited, but I merely want to say this: What is to be done with this budget presented by an Indian Member and a very patriotic Indian Member? If even he cannot do anything for us in the present circumstances, what are we to face in the near future? Our

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land revenue, for next year, has been put down at Rs. 5,30 crores. In the Blue Book there is a statement giving our revenues from 1910 down to 1926.

The average of the last 10 years is not more than 5,07 lakhs. From 1910 down to 1926 if we examine all the figures we do not find that land revenue is ever more than 5,23 or 5,30 lakhs except thrice in the whole period, and we do not hope and do not aspire to get a bigger revenue than this any more.

As the Honourable the Finance Member has stated we derive our revenue from three heads : namely Land Revenue, Excise and Stamps. The land revenue is not going to increase. Then there is Excise : this revenue we are bound to stop. As regards Stamps it has failed this year and it does not give better hopes in years to come. These three heads form 75 per cent. of our total revenue. We do not hope any increase from these heads in the future. What are we to do then ? Are we to starve all the nation-building departments in future as we are doing now placing deficit budgets in front ? That is the problem before this Council. Either we must tax ourselves or cut ourselves. These two things are before us. The taxable capacity of this presidency has reached its last limit. I come, Sir, from a rural area. I say that I am mixing with the rural population in a manner very few members here could have done. During the last two months I have visited a number of villages more than four or five times, especially the famine area, about which a report has been submitted by me to the members of this Council. In all these villages I have seen the agriculturists and discussed the situation with them. I assure you—I do not exaggerate—that you will not get one pice more from them—you can have blood from them but not metal. That is the condition of the rural population of Dhandhuka, Ahmedabad district, the constituency which I represent. If that is the case how are you going to meet our future budgets ? I expected, Sir, from the Honourable the Finance Member this last act from him, before he retires which I understand is going to be very shortly, to show to the whole of India that an Indian member given the portfolio of finance of a major province, given the necessary conditions, can do bold things, cut the Gordian knot by cutting tall poppies, and make our budget prosperous. That has not been done by the Honourable the Finance Member. I request the Honourable the Finance Member and the Government to consider the whole position. We have no surplus to show in future nor are we capable of taxing ourselves. We have to make some cut somewhere and that cut must come from the top and not from the bottom, as it has been suggested by the Honourable the Finance Member. The Honourable the Finance Member told us that they have appointed a retrenchment officer. Do not appoint an officer like that. Let the retrenchment officer be given a mandate where the cut should be made, how many offices should be abolished, and the extent of retrenchment. He should be asked to see and advise whether and how the business of Government be conducted with that mandated retrenchment. A retrenchment must be carried out like that. A number of things will be

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said by members who follow me. In this presidency there are commissioners for divisions. In Madras they have abolished commissionerships and in the United Provinces they have passed a resolution for their abolition. Here also we can safely say that the commissionerships may be abolished. I have personal experience of prant officers known as deputy collectors. I am sure that these officers do not deserve the pay for the work they are given. They do more shooting, more gaming and more tennis playing. I do not grudge their tennis play. That is the sort of prant officers we have in the rural area. That is my personal experience. I am prepared to justify it even before the Honourable Revenue Member, the Honourable Mr. Rieu or the honourable member Mr. Chatfield for the matter of that. All these prant officers can safely be abolished. I wish to point one more thing and that with regard to the Police Department. In Dhandhuka, Dholka Prant, we have got a police inspector and assistant superintendent of police and above them there is the District Superintendent of Police. Their duties collide and overlap. Work of inspectors and assistant or deputy Superintendents is similar and their duties are such that they can be managed by one officer, either the assistant superintendent or inspector and the expenditure can safely be cut down here. I am not in favour of cutting down the police force, as it has been proposed by the Honourable the Finance Member. On the contrary I have been complaining that in Dhandhuka there is little protection given to the rural population. I would rather wish that the police inspectors and deputies can be cut down in number and the police force be augmented a little.

Mr. P. J. MURZBAN (Bombay City, South) : Sir, this is the seventh budget after the Reforms, and is more disappointing than its predecessors. The taxpayer of this province was expecting that some years after the introduction of the Reforms the financial position of our Province will be satisfactory. But unfortunately even in the seventh year after the Reforms we are worse off.

Sir, I have always been maintaining that the introduction of Reforms, without first reducing the top-heavy administration, was a premature measure or a political blunder. What do we see now ? Year after year we begin with deficits, we levy additional taxes, we trench upon our accumulated balance with the Government of India, and yet we do not make any headway.

The root-cause of this is, as we all know, and as the Honourable the Finance Member has correctly pointed out, the great financial injustice done to our province by the Meston Settlement. We lose our increasing income from income-tax except a little eye-wash. We get in return the whole of our land revenue, which was before the Settlement a divided head. The land revenue does not expand. With a little variation here and there it remains the same ; whilst our province, as a trading body, has lost the ever expanding recoupment from the income-tax. I think, Sir, that Government ought to make strenuous efforts to get this settlement altered : otherwise, I am afraid, there is no alternative to levying, year after year, additional taxes and issuing fresh loans. This sort of financial transaction can never last long, and is bound soon to come to grief.

[Mr. P. J. Murzhan]

Unfortunately the first Indian Finance Member of Government (and I give him my hearty congratulations for the post, though I did not quite relish the grandfatherly homily he read to us yesterday) has commenced his career with a deficit budget of 50 lakhs. It is a very heavy deficit, and in spite of the Honourable the Finance Member's wonderful optimism, I am tempted to term the present budget an adversity budget.

Mr. President, we must remember that we have primarily to satisfy our statutory liabilities to the Government of India, viz.—

(1) The yearly contribution of 56 lakhs to the Government of India, and, in the case of an emergency, any larger sum the central Government may demand ;

(2) The non-voted expenditure which is sure to increase every year ;

(3) The payment of interests and instalments to liquidate the debt transferred to the Provincial Government on account of the Provincial Advance and Loan Account, a debt which is to be repaid to them within the course of 12 years ;

(4) Any expenditure that is fixed by law, such as the Famine Insurance Fund ;

(5) Payment of interest on funds advanced in previous years by the Government of India for the construction of irrigation works ; and so on. After satisfying these liabilities, Sir, we have to provide for the interest and sinking fund charges on the loans that we raise from year to year under the powers granted to us under the Reforms Act.

As one of the honourable members remarked, we are on the brink of bankruptcy. That is why I say that the first Indian Finance Member has had an inauspicious beginning ; but as it is usual with Banias we all *do* hope, and we all expect, that he will show a tangible improvement in the financial situation by effecting the strictest possible economy in all directions.

In the current year's budget the deficit put down was 28 lakhs, but now it has gone up to 75 lakhs by a series of failures of revenues. If the state of things prolongs indefinitely I am bewildered to think of our financial position on the whole after some time. I should not wonder if the deficit of 50 lakhs mounts up to a deficit of 150 lakhs. I am one of those, Sir, who believe, in working the Reforms for what they are worth, but I must confess that we certainly have not got prosperity by the Reforms. Inflicted as they are at present in their nebulous form they are pressing hard on the provinces, as any one who has eyes to see will observe, and I am tempted to quote a vernacular adage :

કાજી જે સ નહી લાય — બિડા પાપ લાય.

Kuji ji bhens nāhi lāyā—bīdā pāp lāyā.

Now, Mr. President, I come to the various heads of revenue.

Land Revenue is estimated as Rs. 5,30 lakhs. From the speeches of my predecessors we can very easily see that that expectation will never be fulfilled.

Then I come to the very ticklish head of Excise. On Excise, we have 26 lakhs less. The Financial Secretary in his Budget notes says that the

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deficit under this head is the combined result of the system of simultaneous auctioning and rationing. I am aware, Sir, that I am now touching a point where my remarks will jar on the ears of several honourable members of this House; but I cannot help pointing out, Mr. President, that notwithstanding the various restrictions placed on the consumption of liquor, drunkenness prevails as usual, illicit trade goes on and the Government is losing its revenue. The present policy is neither fish nor flesh nor good red herring. Sir, we are all for temperance, and I for my part am perfectly prepared to give my humble support to all the endeavours of Government towards the cause of temperance. But I think, Sir, the time has now come when our Provincial Government will have seriously to consider whether their present excise policy needs revision or not in face of the Excise Committee's report. Whilst I am speaking of Excise revenue I may mention that next year I propose to introduce a bill to amend the Liquor License Fee Act of 1878. Mr. President, it would be remembered that liquor license fees were the property of the Bombay Municipality under section 14, Act IX of 1865. Under this section the whole of the revenue was to be credited to the Municipal fund for the city of Bombay. That continued to be the case up to 1878; but unfortunately in 1878 a new Act came into force. In the draft bill no notice was taken of this revenue; but later the Honourable Mr. Ashburner brought in the amendment for the money to be handed over to Government. The reason for this step, given at that time, was that it was merely for the convenience of the Abkari Department and the Municipality was not even consulted in the matter. The sum was based on an average of ten preceding years as a contribution to be paid in compensation for the license fees. That great stalwart Mr. Sorabji Bengalee opposed it in the Council and disputed the fairness of the amount of compensation arrived at. He pointed out that as the receipts from liquor license fee had been steadily increasing and the rate of fees during the ten years varied much, the proper plan would be to take the revenue of the last year and add something for prospective increases. However, it was passed and the Bombay Municipality has a special claim in view of their heavy responsibilities in the form of medical relief and primary education under the Police Charges Act. It will be but a fair act of justice to restore to them their legitimate claim which was simply taken away from them—confiscated I should say—under the guise of the convenience of the Abkari Department. In the case of the Indian States this compensation is revised every three years, but for the Bombay Municipality the amount remains the same though the fees are increasing by leaps and bounds.

As regards Forests, the forests of our province extend over an area of 15,000 square miles, and yet the revenue collected decreases every year. The Inspector General of Forests with the Government of India visited our forests and gave his opinion that the revenue from our forests, if properly explored and exploited, should run into crores. I really do not understand why this is not being done. Is there nobody in the Government Departments to explore this source of revenue? Does

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Government require a Carter just as in the case of the tomb of Tutan-khamen of Egypt? Forest roads and light railways are absolutely necessary as in Switzerland. Every year the Government should raise a forest loan of at least 10 lakhs of rupees, and I am sure after 15 years the revenue from forests will run into crores.

Averse as I am to any cut in revenue in these times of financial stringency, I cannot help drawing the attention of this honourable House to one source of revenue which has been pressing very hard on a rising industry in this presidency, and which has been affecting very adversely on the public welfare. I refer to the entertainments tax, which, I am pained to see, is maintained in the new budget. No one, Sir, will for a moment deny that, in a deficit of half a crore, a morsel of Rs. 7,59,000 in the shape of the entertainments tax does not come in very handy; but I submit that the primary excuse under which this unpopular tax was inflicted on Bombay no longer exists. When it was first levied, the Honourable Member in charge had explained that this extra revenue was an imperative necessity to meet the new drain of the half share of primary and compulsory education which Government had imposed upon itself in partnership with the municipality. But, Sir, as we all know, the Government has backed out, at least for the present,—till the question is decided by litigation—from its promise. The reason, therefore, of still sustaining this tax requires to be explained, and I trust the Honourable Member in charge will enlighten us on the point. I repeat, Mr. President, that I am fully alive to the need of replenishing the Government treasury by some means or other, but I do hope that the House in the near future will seriously consider whether this entertainments tax, which has well nigh ruined the cinema and theatrical trades in Bombay, cannot be substituted by any other source of less opprobrious revenue, or at least, cannot be modified so as to make it less oppressive on the poorer classes than on the richer patrons of amusements and entertainments.

As regards the expenditure I will give notice for the omission or reduction of certain items when the demands for grants come to be discussed.

Mr. V. A. SURVE (Ratnagiri District) (Addressed the House in Marathi): Sir, the Honourable the Finance Member has shown in the Budget the figures of revenue and expenditure and has taken particular care to show where he found that the expenditure was more in particular department. In doing so he has not given this House any reasons.

In the beginning, we have got Land Revenue. As regards Land Revenue if the figures had been given according to districts we would have been able to criticise them fully. From the year 1921 to 1927, the land revenue is shown as steady. But I ask Government whether it will remain steady and whether Government is going to guarantee that it will remain steady. Then under this head we have got only the figures before us, but no fuller explanation is given by the Honourable the Finance Member. In the absence of this full information how are we to get an idea as to why there is a decrease in revenue under this head? I think in every district the revenue is on the increase, and still every

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year I find it to be the same as last year. But the real condition is not shown in the budget, and that is so because Government want to get the sanction of the Council for the increase in taxation.

Then we come to "Registration." This year, the income derived from this source is shown to have decreased, and the reasons advanced are that the price of land has gone down and it is said that, therefore, the registration fee is on the decrease. While the Government has taken care to state this fact, may I ask the Honourable the Finance Member as to why at the time of the revision survey Government does not take also into consideration the fact that the price of the land has gone down because the crops have been spoilt.

Under the head "Education" the expenditure for primary education has been shown as one Rs. 1,98,44,000, and it has been stated by the Honourable the Finance Member that Government are not going to spend more than this on this account. I do not understand why this should be so, when we find that the primary education is in the interest of the public. The Government does not like to act according to the wishes of the public, but when there is a deficit in the budget Government comes before the Council to ask for permission to impose more taxation on the people. I tell Government not to come before the Council with this question as long as our demands are not provided. This Council is not responsible to make up the deficit. Government should take the responsibility of meeting the deficit upon its shoulders when they find that the representatives of the people in the Council are not willing to do anything against their wishes.

In order to meet the deficit in the budget the Honourable the Finance Member, in his speech yesterday, has shown one way to the Council. He said that if we do not support Government in imposing any further taxation, salaries of the subordinate staff of the Government will have to be reduced. But I will show him the other way of meeting the deficit. In our presidency we have a large number of the I. C. S. officers and out of this number I suggest that 50 per cent. should be reduced, or the number of Ministers and Executive Councillors should be reduced. Further, we have got the Director of Agriculture in the Agricultural Department and Deputy Director, Assistant Director, and also the Director of Information. The number of all these officers should be reduced as far as possible. My point is that there should be retrenchment in the fat salaried persons and if that is done we shall find no deficit in the budget.

In the same way, Rs. 5 lakhs were provided in the year 1926-27 out of famine fund for water supply. Now, how was this amount utilised? Do you think nature has provided water everywhere? In my district every village has got only "8 annas" water; that is, 8 annas in a rupee, or half the quantity actually required by the people. I do not understand why this sum is reduced this year to Rs. 3 lakhs. Now as regards the use of this money, it is not used as it ought to be. Out of this famine fund money agricultural works are carried out in several places. But no such works were carried out in Ratnagiri on the ground that there was

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no famine in Ratnagiri. Although even for four months in the year there is not enough food for the people, the officers of Government report that there is no famine ! It is really surprising how the officers can make such a report in such circumstances. If there are any special reasons justifying such action, let Government explain them to the House. Now, for 12 lakhs of people there are no crops for even $3\frac{1}{2}$ months, and yet the report of Government's officers is that there is no famine in the district ! In other provinces or districts the Government of India do collect famine fund and out of that fund agricultural operations are carried on. Then, why not do the same in the case of Ratnagiri ? At the time when the famine fund was established by the Government of India, it was made clear that about one-third or two-thirds of the amount might be given for water supply. Why was that done ? Because it is the people's money ; it is reserved specially for such purposes. Therefore, it is only right that the people should get the use of such money for these purposes.

Now, you spend for civil works also out of this famine fund. The Government of India have imposed certain limits and restrictions in this connection. But how are all these works carried out from this money ? All these things must be explained properly and fully to the House.

One request that I have to make specially is that a new system should be introduced in the matter of framing this budget, namely, the representatives of the people should be consulted and they should make recommendations to Government and Government should consider them, and then the budget should be framed accordingly. If you do that, then many of the irregularities that occur now will not occur and the budget would be more satisfactory. Another thing I wish to suggest is that at the time of making a revision survey the Council, that is, the representatives of the people, should be consulted. In framing the budget a new practice of consulting the representatives of the people before framing it should be introduced. That is a very wholesome improvement which requires to be effected.

That is all I have got to say ; I am not a big man but the humble representative of a poor district, and so I do not propose to add anything more.

The Honourable the PRESIDENT : Order, order. There are only five minutes to 4 now, and if the honourable member who stood up in his seat is likely to finish within five minutes, he might address now.

Mr. N. A. BECHAR : No, Sir ; I will take longer time.

The Honourable the PRESIDENT : Order, order. Before we proceed with the discussion, I wish to make one point clear to honourable members. I have received one or two intimations from honourable members that they wish to speak. That is all right, but the honourable member must stand in his seat every time the occasion arises and then he will get the chance ; he cannot expect me to call upon him simply because he has given me the intimation and even then, supposing several honourable members rise, only one can get the chance to speak, and the others must, if they want to speak, rise again and again till they get the chance to speak.

Rao Bahadur B. R. NAIK (Surat District): Sir, I had no mind to take part in this discussion because I am new to this Council and I thought I had better wait till after some of the senior honourable members had had their say; but after going through the speech of the Honourable the Finance Member, I feel obliged to say a few words. Of course, the budget shows a deficit and so I cannot congratulate the Honourable the Finance Member on it. However, as he comes from the same part of the country to which I belong, namely, Surat, and also that he is the first Indian Finance Member, I take great pleasure in doubly congratulating him for presenting the budget of a large province like Bombay. Personally I believe no good purpose would be served by discussing this budget here or that anything better would come out of it unless and until the whole financial system of the whole of India is overhauled. Income-tax is a great asset and 35 per cent. of the total income is derived from this presidency and what does the presidency get in return? Nothing. There is one grievance to which I wish to direct particular attention. As the Honourable the Finance Member is well aware, many of us are new to this House, and that we must require some time to go through and study the Blue and the White Books which have been sent to us only two or three days before we left our places to come down to Bombay to attend this Council. Somewhere in his speech, the Honourable the Finance Member has expressed the hope that after going through the budget we will rise wiser and perhaps sadder. May I ask only one question, namely, can these two voluminous books covering over 600 to 700 pages full of figures be studied in a couple of days? A budget like that for a province like Bombay does require at least a fortnight to be properly studied. I may remind honourable members here that budgets of local boards and municipalities are distributed to members ten to fifteen days prior to their budget meetings so as to enable them to study them. I would, therefore, make one special request to the Honourable the Finance Member to ensure that his future budgets reach honourable members at least fourteen or fifteen days prior to the date of the session.

I will not touch the most vital subject of the land revenue, which is more than one-third of the total revenue of the presidency just now, but will leave it for a later discussion when the demands on this head will be made. I can only say at this stage that this tax is the most unjust if not dishonest as is described by many. The Honourable the Finance Member has made some cuts, he has called for figures from various provinces. He seems to have laboured very much to collect together the figures for the various provinces, and he has tried to prove that, though Bombay has a greater expenditure than other provinces, Bombay gives better service. With this I do not agree. If he had taken the same amount of trouble to collect together figures with regard to civilised countries like America, Japan, England or France, surely his case would have been very much strengthened? I would earnestly ask the Honourable the Finance Member and all the other Members of Government on the opposite benches, to quote a single instance in any civilised country where a Finance Member of corresponding responsibility to the one

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in Bombay is getting Rs. 5,300 per month. I assert that they will not find a single such instance. You know, Sir, and I think all honourable members know very well, that the Governor of a Province in America gets 600 dollars a month; the same is the case in Japan. It is all very well to reduce a few posts of sepoy, clerks, and persons from the subordinate services, but, as has been stated by the honourable members who preceded me, the cut must begin from the top. It has been very well argued, and I think rightly argued, that India has a top-heavy administration. In fact, it has the most top-heavy administration in the whole world. There is no parallel for it anywhere in the civilised world. Therefore, my honourable friend Mr. Lalji Naranji is quite right when he says that he expected a great deal from the Honourable the Finance Member, that he expected a better budget than he has been able to present. I agree with him. He should have commenced by cutting off the salaries from the top, to begin with, from himself. The two Honourable Members sitting opposite to me are both from the merchant classes, they are very well-to-do, and they ought to have set the example. I think it would have been better if they had set the example by cutting their own salaries. I know very well that if they had expressed such a desire, Government would have carried out their wishes and they could have then requested Government to cut down the salaries of other high officers and if Government had not carried out their wishes, the only thing for them to do was to say "When a poor Presidency like Bombay has to pay so much, we cannot carry on the administration" and courteously resign.

There is another point which has been touched by the Honourable the Finance Member, for which I specially stand here. He has stated in the course of his speech :

"Moreover, in other Provinces the local bodies undertake many services and finance them from local revenues whereas in Bombay those services are undertaken by Government and are mainly financed by them."

This is the point with regard to which I should like to say a few words. My honourable friend the Finance Member as well as everybody else here knows that more than one-third or 38 per cent. of the revenue comes from rural areas, that is land revenue. As has been rightly said by my honourable friend the honourable member Mr. Lalji Naranji, "the real revenue of the presidency is about Rs. 13 crores," and out of that more than Rs. 5 crores comes from land revenue. The next greatest source of revenue is excise, and a greater portion of that also comes from the agriculturists. And for this contribution, what do they get in return? The Honourable the Finance Member says that they get more than a crore of rupees every year. This is a very big figure, but he has not shown the different items of which this one crore is made up. I may inform honourable members here, especially those who are members of municipalities and local boards, that about Rs. 80 lakhs to Rs. 90

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lakhs are spent on primary education. Now, I leave it to the House to decide whether it is not the primary duty of the State to provide for primary education. It is a misnomer to say that it is the duty of the local boards to do so. The Commission which sat in the year 1882 decided that education should be the first charge on the revenues of a province. The Local Boards Act was brought into operation in the year 1884. Before that it was decided that the first charge on the revenues of a province should be education. It is a misnomer to say that Government are making grants to local boards on account of primary education, but on the contrary, local boards are making grants to the extent of one-third of their local funds to Government. I maintain that the responsibility for primary education rests on Government, and it is their duty to carry out that obligation. Out of the one crore of rupees, the balance of Rs. 10 lakhs to Rs. 15 lakhs goes to communications. Out of about 38 per cent. of the total revenue which the rural areas pay, what is the return that they get? The population of the rural area is 1,57,00,000, and the Government are giving them one crore of rupees which includes the cost on education, which is the primary duty of the State, communications, medical relief, veterinary help, and all the other things, which comes to about ten annas per head or even less. This amount goes to give comforts to the rural population. The Honourable the Finance Member said that in Madras, Bengal, the Punjab and the United Provinces the Provincial Governments have to give less grants, but I would again very mildly and very earnestly put it to the Honourable the Finance Member, can he conscientiously say that any source has been left to the Local Boards to tap, from which to realise further revenue? All the available sources of revenue in the Presidency have already been explored, and no source has been left to the Local Boards from which to raise revenue. It is not a question whether the people should pay for their comfort and happiness, for education, medical relief and other things. I do admit that they should pay for what they want, but are you sincerely of opinion and do you really believe that they are capable of paying anything more? Is it not a fact that the highest pitch of the taxable capacity has been reached in this presidency? It is all very well to say that per head the revenue in this presidency comes to Rs. 7-8-0. That is so far as local revenue is concerned. What about the Imperial taxation? This presidency pays about Rs. 6 crores to Rs. 8 crores for Income-tax, and if that is included, it comes to more than Rs. 7-8-0 per head. Then, what about the taxes which they have to pay to the municipalities and local boards. So, if you consider the earning capacity of the ryot and compare with it the taxation that has to be paid in one way or the other, whether local, Provincial or Imperial, you will find that they are paying much more per head. Government have given these local boards wider responsibilities, but are Government anxious to see that the local bodies run efficiently and on a proper basis? I have raised this question elsewhere and I have been asking for what is being done in other civilised countries, namely that a portion of the land revenue and a portion of

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the excise revenue earmarked for primary education, should be assigned to the local bodies. These are not new things that are to be introduced in this country. It has been in vogue in all civilised countries. Unless you do that, I am sure that the local bodies will be nothing but a mere farce. Now, I may be told that the local bodies have powers to tax themselves by the imposition of fresh taxation. Very well, Sir, let us examine the scheduled taxes, which are assigned to the local bodies. You will find that the revenue derived from all these sources will hardly be sufficient to meet the expenditure that shall have to be incurred for its collection and it will not meet the demands of the local bodies. We may be asked why we should not raise the local fund cess. As I said before, I will say something more on this subject later on. That the agriculturists are already very heavily taxed is an admitted fact. They are already paying the local fund cess over and above the land revenue. Even granting that the local fund cess is increased, the demands on the local bodies will not be met.

The Honourable the PRESIDENT: The honourable member has only two minutes more.

Rao Bahadur B. R. NAIK: Well, Sir, my honourable friend from Ahmedabad just now gave a picture of the condition of the agriculturists. As coming from one of the districts of the presidency, I shall be wanting in my duty to the rural population if I do not voice my feelings in their behalf. Perhaps it may be said that we have come here with a biased mind. I would simply quote one sentiment given expression to by an honourable member of this House from an urban constituency, Mr. Lalji Naranji, that a prisoner is better fed and better clothed than an agriculturist. There is absolutely no scope for further taxation. After all, the Honourable the Finance Member complains that the local bodies come to the Provincial Government for funds, but the fact remains that even the interest charges on the amounts already spent after big speculative schemes such as Back Bay and Sukkur Barrage equal the grants to the Local Boards. My time is over and I resume my seat.

Mr. B. T. DESAI (Bombay City, South): Mr. President, this budget appears to me to be absolutely a disappointing affair. The more I study these books the more I feel embarrassed at certain circumstances which the budget shows.

But before I go a little more into this matter I have to bring to the notice of this honourable House certain remarks that the Honourable the Finance Member has made with regard to the Swaraj party and its policy and its working. I consider those remarks to be absolutely irrelevant, unwarranted and unjustified. He had no business nor was there any occasion to make any remarks as to what the Swaraj party has done or what it has failed to do, while presenting the budget. As he has been allowed to go into these irrelevant matters I think it my duty to give a proper and effective reply. What I find is this. He has absolutely misunderstood the Swaraj party and its programme and he had not the sense to understand the real thing for which the Swaraj party stands.

The Honourable the PRESIDENT : Just one thing if the honourable member takes his seat. I think everybody is entitled to criticise anything that is said from the Government benches or by any other member, but courteous language must be used.

Mr. B. T. DESAI : I do not think that there is anything objectionable in the language I have used. I will be much obliged if you correct me, Sir.

The Honourable the PRESIDENT : If the honourable member wants to know, I think, the words 'he had not the sense to understand' are discourteous.

Mr. R. G. PRADHAN : May I know, Sir, whether it is unparliamentary ?

The Honourable the PRESIDENT : No ; if it had been so, I would have asked the honourable member to withdraw.

Mr. B. T. DESAI : I do not want to injure the feelings of anybody. At the same time when I listened to the Honourable the Finance Member's homily I must say that I was really very much pained. Of course I am not going to reply to him in the same language or use the same logic he has used. But I wish to bring to the notice of this House one thing and it is this, that he has entirely misunderstood the right motive of the Swaraj party and also its proceedings. He says that because the Swaraj party followed a particular policy of obstruction—partial obstruction—and a little non-co-operation in the Council it has led to communalism and given an opportunity to opportunity seekers who, taking advantage of the opportunity afforded to them by this policy, have forced the hands of Government and also forced Government to support them in a particular fashion and in a particular way. Communalism has made its appearance in the Council which of course was not there in the beginning. I say he is entirely mistaken in his appreciation of the Swaraj party programme and its proceedings and the effect it has produced. I am of firm conviction that the Swaraj party is not responsible for this communalism, but it is the policy pursued by Government of separate and special electorates under the pretext of protecting the minorities and also of nominations on that account. That is really the cause. That is the thing which has produced communalism and also this communalism has been supported, has been encouraged, by Government in various ways ; and that has led to the serious state of affairs which the Honourable the Finance Member rightly deplores. I am of the opinion that there ought not to be communalism. Government's hands should not be forced by communalism and Government should not seek the support of any community and at the same time no community should seek any support from Government, because Government wants its support. I think that is the real thing which is really at the bottom of the whole evil. It is not the Swaraj party but it is the Government that take sides and say 'You should vote for such and such a man,' and in return they offer the Chair or a minister-ship or this or that. I think Government ought not to do this ; but on the other hand they should set a better example when they expect something from us. We have been seeing this. I do protest and I do say that these tactics of the Government are not desirable, and I say that these things will bring about a state of things which perhaps Government will have good reason to deplore later on.

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Well, Sir, the Honourable the Finance Member has stated that there is great trade depression and therefore the income has decreased. You are complaining about the trade depression. What have you done to find out first to what it is due, and what steps have Government taken to prevent the trade depression? I understand and I fully believe that it is due solely to the action of Government.

Currency has been manipulated to suit a particular class of vested interests. Currency has been depleted to a very great extent and exchange has been raised, notwithstanding the protest of the whole of the Indian nation. While the above policy of the Government is at the bottom of the trade depression, taking this trade depression as a cause, the Honourable the Finance Member says: "Oh; we have got a reduced income; what are we going to do?" In order to meet this reduced income, he perhaps might suggest—of course he has not suggested—that fresh taxes may be levied on the population which has had no hand whatsoever in creating this depression.

There is also another thing noticeable. Without fully going into the matter one thing that strikes me is this, that there has been a great deal of unemployment. What has the Government done to meet and destroy this demon of unemployment? They have not done anything; on the contrary, I think that certain actions of Government are responsible for bringing about this unemployment. I refer to their Currency and Exchange policy. As the result of their currency and exchange policy our industries have had to suffer a great deal, and I do believe that they will suffer in such a way that it will be difficult to retrieve them later on. Notwithstanding all these sins of omission and commission on the part of Government, Government now come forward and say: "The income that we expected from Land Revenue did not come in on account of want of rain, etc." One Finance Member had said that the budget in India is a gamble in rain. What did he do to prevent that gamble? He proposed that there should be a certain amount put aside in the shape of Famine Relief Insurance Fund. Of course that gamble has not been stopped, but there have been more and more gambles undertaken in different spheres. I will come to that a little later. But at present I say it does not lie in the mouth of the Finance Member to say that because there has been no rain therefore there has been less income, and that therefore we should extend the Stamp Act and we should deplete our cash balances, and to fling all such things in our face.

It is said that we are faced with a deficit of 50 lakhs. But when I read the books I see that to that 50 lakhs has to be added 59 lakhs, making the total of 1,10,59,000. We have to meet a deficit of 50 lakhs under ordinary revenue and 59 lakhs under Development. Of course the Honourable the Finance Member shakes his head. I may just refer him to page 13 of the Blue Book for information. There the total revenue is shown as 15,57,42; and total expenditure as 16,68,01. The difference has been styled as "Deficit", 1,10,59. Now, if these figures are correct—and I think these figures are correct—the Finance Member shakes his head. May I take it that these figures are not correct? If they are not

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correct, the whole budget should be thrown out ; that is the punishment that ought to be meted out. The word "deficit" has been put against the total of 1,10.59 ; the word "Ord" against 50.58 and "Dev." against 59.71. That means, and I take that the deficit has been divided as ordinary 50 lakhs and Development 59 lakhs. If the figures 59.71 do not represent a deficit under Development, I do not understand why the word Deficit has been placed there. If the figures are to be manipulated in this manner and placed before us in this fashion, I do not think it is right and fair. If Government do not want to show this as a deficit, let them not juggle with figures in this manner and put us in a wrong position leading to shaking of their heads, and giving of an explanation which may or may not be acceptable to us.

Now, let us take the deficit at 50 lakhs. How are we going to meet the deficit ? In the first place, let us see what are the causes that have brought about this deficit of 50 lakhs. The Honourable the Finance Member has stated that the deficit has been caused because Government did not get as much revenue as they expected from Land Revenue, Excise and Stamps. First take the Land Revenue. What is wrong with it ? The Honourable the Finance Member has described the causes of less revenue from this source, but let me tell you the way in which this revenue has been collected. My information is restricted to the Kaira district. There, not only the full revenue is collected, but also one-half more. And at what cost to the people ? I am told that they had to pledge their little trinkets, and in some cases, I am told, they had to commit offences to fill the coffers of Government. Well, what does this show ? It shows that the way in which this revenue is being collected is objectionable. I think a thorough enquiry must be made as to under what circumstances this tax has been recovered. Notwithstanding all this, the Honourable the Finance Member says that there has been a few lakhs less than what he expected.

Coming then to Excise, the Finance Member says that we have not had as much income as expected, but that on the contrary greater loss.

That is the account that he has given : we are not going to accept the reasons he has given for this state of affairs, but give credence to his statement and take things as they are. What are we going to do ? The answer he gives is : "Deplete your cash balances and extend the Stamp Act. I do not ask you to impose further taxation". But may I ask what is the meaning of extending the Stamp Act ? Is it nothing but an introduction of a new tax ? The Stamp Act will cease to operate at the end of this year, and in order to ensure that it will operate from next year, he has to come before the Council to obtain its consent. This is practically speaking a piece of fresh taxation. Of course it may be pleaded that there is no other fresh taxation. While we are depleting the cash balances, here is one instance where really speaking there is fresh taxation. I am quite sure that all the honourable members will oppose fresh taxation and the proposed extension of the Stamp Act. But no fresh taxation will be levied under the circumstances related by the Honourable the Finance Member. He says that "*per capita* taxation has reached a

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particular figure and it is considered to be the maximum capacity for a taxpayer to pay. Therefore, there is no room for fresh taxation." But may I ask the Honourable the Finance Member what the meaning of the extension of the Stamps Act is? I know Government will be saying that there has been no room for fresh taxation and still it will come out with fresh taxation. But I tell the Government that if it does come out, it will not be doing a proper thing. The proper thing for the Government to do is to meet the deficit by way of retrenchment. What has the Honourable the Finance Member to say about retrenchment? I know he will say "Yes, we have done so, we are doing so, and so on." It is very wise and easy to say like this, but I think this House expects him to give a fuller explanation and a clear account. How are we to understand that he has actually done so?

My next point is with regard to the "General Administration." You can see from the figures given under this head that there is an increase of 100 per cent. in two years. From one crore the figures have gone up to two crores.

Mr. G. WILES : The statement made by the honourable member is incorrect.

Mr. B. T. DESAI : I will quote the figures from the Blue Book supplied to us. At page 14 of the Blue Book we find under head "General Administration (Reserved)" the figure comes to Rs. 2,21,86, this year. Now, if we still differ, we shall take the comparative total of expenditure which is at page 4 of that book. There you will see, Sir, that under this head the figures are : for 1921-22 Rs. 1,22,62, for 1922-23 Rs. 1,17,00, for 1923-24 Rs. 97,54, and then, Sir, we come to Rs. 2,17,68, for 1924-25. If this is not double the last figures, I would like to understand what it is? Then we come to the year 1925-26. For 1925-26 we find Rs. 2,23,37, then we go to the budget estimate for 1926-27 Rs. 2,20,56, for 1926-27 (revised) Rs. 2,22,80, and for 1927-28 Rs. 2,21,86.....

Mr. G. WILES : If the honourable member will permit me, I will explain. If the honourable member had been present in the last Council, he would, as all the honourable members who were then sitting in the Council have understood, have realised the position. Owing to the change of account-keeping in 1924-25 certain items under Land Revenue and General Administration have been interchanged and a considerable sum on account of revenue establishments which used to be recorded under "Land Revenue" has been transferred to the head of "General Administration." Therefore you will have to add the expenditure under "Land Revenue" to "General Administration" in order properly to compare one year with the other. You will see that the Land Revenue in 1923-24 was 1,82 lakhs, and went down in 1924-25 to 62 lakhs.

Mr. B. T. DESAI : Anyhow, it comes from the general coffers. (Laughter). This is not a matter for laughter. It may amuse those who do not really realize under what difficulties we have to work at these figures. If you discuss the deficit under the head "General Administration,"

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you have to consider the revenue that is realisable. Whatever it may be, I think it is a jugglery of figures which should not frighten any honourable members. Expenditure is the chief cause to frighten us and that must be cut down from the top. That is the only way in which we can balance our budget.

With regard to the other matter, namely, Development, I understand that under such and other heads, the income is shown as Rs. 2,20,00. Perhaps, it may be argued that this will be utilised towards the payment of loss. My own idea is that this sum would not be utilised for repaying the sums that have been borrowed or to meet the loss, but will be swallowed up in paying interest, etc. But this is not the time to say anything further on this point as my time is up, and I will say what is to be done about this at the proper time.

Mr. M. G. BHOSLE (West Khandesh District) (Addressed the House in Marathi): Sir, when I came to the Council Hall yesterday, I had a great hope that the Honourable the Finance Member will refer in his speech to the conditions and grievances of the farmer class, but my hope has been shattered to pieces. No steps seem to have been taken by Government to redress the grievances of the poor farmers and no attention has been paid to them.

I may give here one or two instances of the main grievances. We find, Sir, that under the grazing rules farmers have to pay annas 8 per cow and bullock as tax, but if they are found to infringe the rules, they are fined heavily, namely, from Re. 1 to Rs. 5 by the Forest authorities. Such kind of treatment is meted out to the poor farmers by Government. We are told by Government that it has great sympathy with the farmers and improvement is being made to ameliorate their conditions. But what do we find in the budget itself? We find that Government has curtailed the expenditure of the Agricultural Department from Rs. 30 lakhs to Rs. 28,40,000. I do not understand this. When Government can afford to spend money for holding Exhibitions and Conferences, why should there be a cut under this head? Government always say "We are the protectors of the poor, we want to help them and whatever taxes are levied on the crops are for the benefit of the agriculturists." I would say, Sir, that instead of helping the farmers, Government looks to its own interest first. The Honourable the Finance Minister told us yesterday that in order to balance the budget, it will be necessary to effect retrenchment in the salaries of the subordinate staff. I ask him why he should not touch the fat salaried officers instead of the subordinate staff. I do not like to dilate on this point more as it has been referred to by most of the honourable members who preceded me.

Now, as regards education, we are told that more than Rs. 1,98,44,000 cannot be spent on education. But Government increase the taxes just as they like. That is our experience. Government say very often that they must spend such and such an amount on such and such a department; but they do not say the same about the taxes. They do not say that in such and such a department the expenditure should be

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only so much and nothing more. In every civilised country, we all know, how much expenditure is incurred on education. Very large amounts are reserved for education. We are told that many things are proposed to be done, but on the whole in actual practice very little is done. This Council had passed a resolution that the primary teachers should be paid according to the Sathe-Paranjpye Scheme. But it does not seem to have been provided for in this year's budget. Now, education is a transferred department, and therefore, the Minister in charge of that department is bound to carry out the resolutions passed by this House; otherwise he should tender his resignation. It is not enough for a Minister to receive a salary of Rs. 4,000; and if he does not give effect to the resolutions passed by the House, it must be said that the Minister is not acting consistently with the dignity of his position. The House expects him to carry out the decisions which it has made in any matter pertaining to the transferred departments.

Now, as regards public health, this is a subject of the greatest importance to the presidency. I notice that the provision made in this year's budget is much less than in the previous years. This is not a satisfactory feature.

As to industries the amount which Government has provided this year does not come up to even the salaries of two Ministers taken together. What a great pity that this should be so, especially when you remember that the development of industries is a most important thing for the good of any country. You impose taxes on the people just as you like. There is much controversy going on at present whether a rupee should be taken as 16d. or 18d. We must see what the effect of such a change will be on business. They say that the incidence of taxation will be relieved by such means! Most of the taxes are really paid by the agriculturists, and not by the officers of Government or the merchants. Though apparently the sowcars may be paying some taxes, those taxes really come out of the pockets of the agriculturists, because while it is the sowcar that pays in name, he transfers that burden on to the agriculturist. Therefore, it is the agriculturist that is hit hard and most by these taxes, and not the sowcar nor the high officer of Government. We the agriculturists have to rely only on God. If we get a good season in any given year, we get good crops and are just able to keep body and soul together. But if there is famine, Government makes some sort of arrangement for other people, but for agriculturists all that they give is some remissions or suspensions. Does Government expect us, the agriculturists, to do labourers' or coolies' work? Notwithstanding all these circumstances, what sympathy is being shown by Government for the agriculturists? Very little or nothing, I am sorry to say. 80 per cent. of the people are agriculturists, and yet not one agriculturist can in reality be called a well-off man. Why is that so? Those people whose sole mainstay is agriculture should certainly receive better treatment from Government.

Now, out of famine fund certain provision is made for a water diviner. Lot of money has been spent on Major Pogson, the Government's water diviner. What great work has he done during the last two or three years?

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Little or nothing. In our country water diviners are able to do much better and greater work than this officer, specially engaged by Government as water diviner, has done and is doing. In such a state of things, it is really unjustifiable for Government to keep an officer on such a high salary for this purpose. Now, Government wishes to employ and retain officers on such high salaries, and yet they are ready to cut down the miserable wages paid to the poor pattawallas, for instance! Is it not a wonder? On the whole, therefore, I leave it to the House to judge how satisfactory the budget of this year is.

Now, I notice a provision of Rs. 40,000 made in this year's budget for the Boy Scout Scheme. But this scheme is not a satisfactory one from my point of view. The Honourable Minister has also given his opinion about it. A short time ago His Excellency the Governor had come to Dhulia. On that occasion a large number of boy scouts were invited to take part in the welcome to be accorded to His Excellency.

But when Mahatma Gandhi came to Dhulia, no such arrangements were made, and only when an application was made to the Honourable the Education Minister to allow scouts to welcome Mahatma Gandhi, the permission was given. What does Mahatma Gandhi's movement stand for? It stands for the spread of Khadi, and yet the Honourable Minister of Education would not grant the necessary permission for collecting funds. I cannot understand whether this is '*Rajmiti*' or 'rebellion'. Brothers.....

The Honourable the PRESIDENT: The honourable member should address the Chair and not the honourable members.

Mr. M. G. BHOSLE: (In Marathi) I beg your pardon, Sir. Being new to the Council, I made that mistake but will not repeat it.

Sir, these school boys were our own children! How could I describe the attitude of Government in this matter.

It is my firm belief that we, the agriculturists, would continue to suffer the present injustice so long as we do not get Swaraj. In spite of the fact that it is the agriculturists from whom Government derive the greatest revenue, very little has been spent on the uplift of the cultivating classes. I would go so far as to say that even the honourable members owe all their comfort, their very seats in this Council, to the support of the agriculturists. It is our duty therefore to press the claims of the agriculturists for all they are worth and yet I find to my utter regret that there are so many men of my own community who make common cause with Government whenever there is a taxation bill. Is it right on the part of my non-Brahmin friends to persist in that attitude? With these few words, I resume my seat.

Mr. G. I. PATEL (Ahmedabad Millowners' Association): Sir, after the very impassioned speech of my predecessor, it falls to my shoulders to just take a review of the budget speech which the Honourable the Finance Member delivered to us yesterday. It is a matter of great satisfaction to us at this stage that after so many other budgets which were presented to us by the predecessors of the present holder of the Finance

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portfolio, our Indian Finance Member gets the first chance to present his first budget in this form in the third Council under the Reforms Scheme. In the first instance, I will try to express my congratulations to him on the able manner in which he has tried to suppress certain important issues and on the other hand to give importance to certain other minor issues with a view, as it were, as an Indian to mislead the non-official side of the House. I beg to be excused, Sir, for speaking this bold and cold truth to-day before him when he steps into the shoes of his predecessor, Sir Henry Lawrence, to whom in the last budget speech I had the discourtesy or courtesy to say very openly that, perhaps during the next or the year after the next, he might get up in his bed in England and find so many crores having been lost in the gamble of the Back Bay and in future years so many crores lost in the Sukkur Barrage. That prophesy has practically proved true to-day, and at least it has made the Honourable the Finance Member admit that we have already lost three crores of rupees by this time on the Back Bay Scheme, and at the same time 111 lakhs on the other Development which load us with a permanent burden of 27½ lakhs annually on these two enterprises, and still we are in the dark as to how far further losses will be declared in future budgets during the course of this Council or the next one.

With this brief introduction and with these strange kind of compliments to my personal friend the Honourable Sir Chunilal Mehta, I will now try to discuss some of the main issues which he has touched upon in his budget speech, and I will make an attempt to deal with his Fourteen main points.

The first point he says is "the increase in the scale of salaries of all services from the Imperial down to the menial to keep pace with the rise in the cost of living." May I ask him whether during the course of the last four years the cost of living has decreased or increased? If he has studied the figures appearing in the "Labour Gazette," he ought to be convinced that the cost of living is gradually coming down during the last four years and particularly every year from 1923 to 1927. Now, if these "Labour Gazette" figures are correct, may I know the reason for putting this sentence before us in his Budget Speech, namely that because of the rise in the cost of living increases in the salaries of all services have had to be given. The plain duty of the Honourable the Finance Member was to reduce all these salaries if he was correct in judging the figures that appear in Government records as to the cost of living. So the first issue which I will try to place before you, Sir, and which has been raised by the Honourable the Finance Member is as it were raised with a view to mislead us, as if we did not know—as if we have no business instinct to judge—the volume of the real circumstances underlying the object with which this sentence has been placed before us. Therefore, in the first instance I will call this budget not as a good budget but as an "*un-business-like*" budget. I will say very clearly that as a shrewd business man, as a man of the high calibre of a Bania as was said by one of my predecessors, we expected from the Honourable the Finance Member a real, practical, "*business-like*" budget and not a shallow, misleading and utterly unbusinesslike budget which he has tried to place before us yesterday.

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With these remarks, I will now come Sir, to the real principle of striking a budget. I know, the Honourable the Finance Member clearly understands, as an experienced business-man in his past career, that to run an institution or to conduct an administration, the main principles are that he has first to study and carefully examine all sources of revenue on the one hand and all outlets of expenditure on the other, and if there is a regular difference between revenue and expenditure, it is a very clear case for applying the shears of retrenchment or, under any circumstances, for cutting down the expenses in order to ensure that the budget is balanced.

Sir! my honourable friend seems to have hopelessly failed in trying to put the budget before us in a balanced form. He says that he is in a difficult position. He says:

"and this must add to the difficulties of a new Finance Member who as an *Ex-Minister* is naturally most anxious to provide all the funds he can for the nation-building departments."

Sir, this is a very curious theory placed before us. I find from the budget figures that on some of the most important nation-building departments he has tried to apply his shears, and it is a matter of great regret to me that in the matter of education he has allowed certain items to lapse, and at the same time he has allowed certain expenditure to be cut down. I would ask him to consider whether the shears could be safely applied having regard to the importance of this Department. On page 88 of the Budget, it is stated:—

".....this is counterbalanced by small decreases in other High and Middle Schools, especially the Government Middle Schools at Ahmedabad and Surat owing to restrictions in the number of admissions."

Then, on page 90, item (2) is as under:—

"reductions of the posts of Principals of Training Schools for men at Ahmedabad and Dharwar from the Bombay Educational Service to the Subordinate Educational Service."

Further, on page 90, paragraph 156, the following occurs:

"An all-round 5 per cent. cut in the provisions for contingencies....."

"Omission of all provisions for building grants to non-Government educational institutions....."

Again, in paragraph 158, it is stated that there is a total omission of the provision for building grants. On page 91, paragraph 159 (b), the following is stated:

"The current year's provision of Rs. 6,28,200 for maintenance grants to non-Government primary schools has been reduced by Rs. 50,000....."

These statements in the Blue Book very clearly show how the shears have been applied to the nation-building departments.

Then, on page 92 is the crowning glory of his achievements in regard to education. It is stated there:

"For the same reason the provision for organisation of physical training in schools and colleges has been reduced from Rs. 8,700 to Rs. 7,000."

May I ask the Honourable the Finance Member whether he has tried, as he says in his speech, "to provide all the funds he can for the nation-building departments"! Here, I must frankly admit that we find from

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the items of the budgets that cuts have been made in places where, on the contrary, more money ought to have been sanctioned.

Then, in paragraph 10 of his speech he says :

"The large revenue deficit must necessarily attract attention."

This need not be pointed out to any human being, so far as any rational being is concerned. Everybody ought to understand that any revenue deficit naturally attracts attention. But what are we to do with it? He fails to show the proper remedy to us. Instead of simply saying that there is a deficit, he ought to have honestly and plainly taken the right measures to reduce the expenditure on right lines, instead of cutting down the peons and clerks. If we examine the budget figures, we shall find that crores of rupees are being spent after certain staff which, in my opinion, we can very well do without. What is the use of so many Secretaries, Deputy Secretaries, Assistant Secretaries and Under Secretaries! If we examine the different items in the White Book the facts become clear. As businessmen if we have to look to our revenues and expenditure, we can very well, in a private commercial institution, cut down the staff at a stroke without endangering the administration. The Honourable the Finance Member is a shrewd businessman, he is an *ex-millowner*, having the heritage of a great and renowned merchant in this city. With this hereditary qualification from his birth, I am surprised to find that the recent legacy of Sir Henry Lawrence has transformed him into something quite different. Had he remained true to his own family tradition and to his own business training and experience, I think he would not have been able to obsess himself so much with the ideas and thoughts which Sir Henry Lawrence has instilled in that small corner of the Government bench opposite. Therefore, I would again ask him to disillusion himself from his trance and to disabuse his mind of the ideas that he has got from his predecessor and to join hands with us and frankly admit on the floor of this House that there is real ground for retrenchment in several directions, and that he is prepared to retrench and cut his coat according to the cloth that is given to him by the members of this House.

Then, on page 6 of his printed speech, he says : "In Gujarat there is damage by locusts and frost in Ahmedabad district and in the Panch Mahals." On the one hand, he admits this fact, but, at the same time, in the matter of giving relief, we do not find that he has put before us any solid proposals to give relief to the sufferers. What is the use of admitting the fact openly and completely in the budget speech on the one hand, and at the same time of not providing the real remedies that are required to do away with the grievances and the sufferings of the agriculturists? Here also, I honestly believe that we are either being misguided, or perhaps we are given a wrong impression about remedying the wrongs under which the people are labouring to-day.

Further on in his speech he says something which is the most wonderful fallacy that I have come across so far in logic. In paragraph 13 of his speech he says :

"The depression in trade is reflected in the low receipts under the head 'VII-Stamps'."

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He admits that there is a depression in trade, and that the revenue on account of Stamps has been reduced, but in the next sentence he says :

“ We have ventured to assume that the House will sanction the continuance of the Stamp Act.....”

This is very ludicrous, fanciful and fallacious so far as logic and poetry both are concerned ! He expresses a feeling of love and emotion, and in the same breath he takes out a dagger from the other side and points it out ! This is like having the emotion of true love and a dagger side by side. If he sincerely admits that there is depression in trade, and in spite of the amended Stamp Act remaining on the Statute Book the revenue under that head has consistently decreased, what is the use of venturing to assume that the House will now sanction its continuance ! May I know why the honourable Member is so anxious to lead us, or, I may say, mislead us to the sanctioning of increased stamp duty, when he himself says that the depression in trade has been reflected in low revenues.

Further, he says that “ the Retrenchment Officer has been able to propose savings.” I am very much dissatisfied with this expression particularly, in the whole of his budget speech, because in my name there was and is tabled a resolution in which I have directed the attention of Government to the necessity of appointing a special Retrenchment Committee consisting of Sir M. Visweshvarayya and other gentlemen, who are experts in retrenchment. When a man is ill and an operation has to be performed, it is no use his taking the surgeon's knife himself and performing the operation himself. Similarly, if you want to cut down expenses, you must not do it according to your views, but must entrust the matter to persons who are qualified to perform that operation. Lord Inchcape has done that with regard to the Central Government. The Bombay Municipality has done it with the help of others. What was the reason for my honourable friend for not accepting the views of this side of the House, and simply appointing an I. C. S. officer Mr. Shillidy to go into all the departments and make a report. He says that the Retrenchment Officer has been able to propose savings. We are perfectly dissatisfied in this matter and the result is that the real spirit of retrenchment has been taken away from our hearts. The work of making retrenchment has been given away to somebody else in whom at this stage we have not as much confidence as we would repose in a committee of the type I ask for. As regards the Development when the Development grant comes we will express our views. By this time I am able to touch half the points and for want of further time I will resume my seat.

Mr. L. M. DESHPANDE (Satara District) : Mr. President, I hope you will excuse me for repeating the same thing, namely that it would have been far better had these valuable books, the two budgets, been supplied to us at least a week earlier. The budget books are really valuable and at the same time very bulky ; and a great deal of time is required for their study. I have tried to go through them and I think that the manner in which they have been put forward is rather a clumsy one. Under the

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Indian Companies Act the secretaries of the company have to furnish the accounts of the company and shareholders can go through and grasp the situation of the affairs of the company. But as the budget is presented to us it is very difficult to grasp the situation.

The first thing is that the capital account is mixed up with the ordinary revenue. That has made the matter very complex. Besides the credit heads are again shown in the expenditure side under the same heads as credit heads. That is not all. Even among some credit heads such as irrigation, the sum required for the working of it has been debited and it has no corresponding debit head. So the form in which it is presented has become very complex. It would have been easier had the budget been placed in a form in which even ordinary companies are made to submit their accounts to their shareholders. It would have been very easy if credit heads had been separated from debit heads and if capital accounts had been kept separate without charging the interest or sinking fund to revenue and showing the loss or profit on the credit or debit side as the case may be. This has not been done, and it often happens that the real loss or profit cannot be ascertained.

Just as has been pointed out by my honourable friend, the deficit is 50 lakhs and again we find that the deficit is one crore. There is a deficit of 50 lakhs according to the ordinary revenue and another 50 lakhs shown is loss on particular accounts. The deficit which is shown as 50 lakhs is also not correct because from the ordinary revenue you have kept aside Rs. 27,50,000 shown in the ordinary expenditure. Then 10 lakhs is the interest charge on the Sukkur Barrage. This is from the ordinary revenue. Another 15 lakhs is kept with the Finance Department. So, in all Rs. 52,50,000 is not the expenditure to the ordinary revenue but it is something else. So, if we have to work out the ordinary balances of this very budget according to the very items presented we can easily see that instead of there being a deficit of 50 lakhs in the ordinary budget there is a surplus of something like Rs. 1,62,000. To these sums even interest like Rs. 53,000 charged to capital account on Forests should be added. And then where the budget is a deficit one, it will be a surplus one. It has very little bearing on these figures, because from the previous years it can be seen that a great deal of difference between the actual accounts and the budget items exists. I will quote a few instances. In the budget year of 1921-22 it was estimated that the land revenue would yield Rs. 5,81,28,000 while the accounts show that Rs. 5,47,44,000 were realised. That means 34 lakhs less. In the next year also it was estimated at Rs. 5,97,25,000 and in the account only Rs. 5,58,67,000 were realised. That is a decrease of 38 lakhs. That is not a small decrease. Under the head Excise in 1921-22 Rs. 4,24,00,000 were estimated and Rs. 3,42,00,000 were realised. The decrease is 81 lakhs. In the next year 1922-23 it was estimated that they would realise Rs. 3,70,00,000 while the actual accounts show Rs. 4,72,00,000. That means we realised an increase of 52 lakhs. From these figures it will be seen that lakhs of rupees are either increased or decreased and the deficit of 50 lakhs can be turned into even a surplus.

The Honourable Sir CHUNILAL MEHTA : Sir, if the honourable member allows me, I will explain. I realise that the honourable member has taken great pains to arrive at the correct figures, and I congratulate him upon it. I quite realise that these books are formidable things to study, but in order that he may not be misled by the figures which he quotes from page 3 with regard to Excise, I wish to inform him about its past history. The figures are different from the budget figures, because the excise year was changed. Instead of 1st April it was changed into 1st January. That is why in the revenue of one year there was a decrease and there was a corresponding increase in the next. I wish to mention that to him because he cannot be expected to know what has been done in the past. Budget figures cannot be made to vary by 40 to 50 lakhs at the sweet will of Government as was apparently suggested.

Mr. L. M. DESHPANDE : Leaving aside the budgets of 1921-22 and 1922-23 I will turn to the budget estimates and the revised estimates of 1926-27. The expenditure provided under the head "Secretary of State" is Rs. 75,000, under the budget estimate; the revised estimates show Rs. 3,19,000, and the budget estimate for 1927-28 is Rs. 1,52,000. From this also it will be seen that a great deal of change is made whenever required. Similarly, I have to point out that in order to balance the income and the expenditure or to have the expenditure less than the income, we must have, as has been stated by honourable members preceding me, some cut in the establishments. I will, for instance, refer to one head. I have the figures of 1921-22 and 1922-23. I hope the Honourable the Finance Member will pardon me and explain if I am incorrect. The Civil Works accounts of 1921-22 show that a sum of Rs. 1,88 lakhs were spent on those works, the share under the transferred head being Rs. 1,70,66,000. In the accounts of 1925-26 only Rs. 91,88,000 were spent on Civil Works. That is, there is a difference of nearly one crore. In this sum also the grants given to the district local boards have been included.

The Honourable Sir CHUNILAL MEHTA : It is not included.

Mr. L. M. DESHPANDE : In the current year, I find it is included.

The Honourable Sir CHUNILAL MEHTA : In the current year, yes.

Mr. L. M. DESHPANDE : So, the difference of expenditure on Civil Works is nearly a crore. The establishment I do not think has in any way decreased although the burden of work has really decreased. Now, a special appointment of Superintending Engineer has been made for inspecting and investigating minor irrigation works. If the House finds that the work now given to the Superintending Engineers and Executive Engineers is less than before, then why should there be any necessity of appointing a special Superintending Engineer with an establishment?

Similarly, under Education, we find that under Education (Secondary) a grant in-aid of one lakh and something more is provided for European and Anglo-Indian Education and for grants to children of soldiers attending European schools and a grant of 3 lakhs and something more is provided for all other secondary schools. If we look to the figures of the students that attend these European and Anglo-Indian schools and compare them

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With the figures of other schools, we will find that the proportion of 1 to 10 is very much incompatible with the actual state of things. The number of students learning in the other schools is far greater than those of European schools. I do not know exactly the number, but according to the population I can say that the number must be far greater than the number of European students and still there is so much less grant given to them. Even though the amount is small it should have been given in equal proportion. Besides these, Rs. 3,000 have been provided for the Young Men's Christian Association's hostel in London. I do not see why the Bombay Government should make provision for a hostel in London. Whether it can be done under the Government of India Act is a question, but not being a lawyer, I cannot say whether it comes within the purview of the Government of India Act or not.

Then, the apportionment of expenditure between transferred subjects and reserved subjects is a difficult thing to understand. The House does not know before the budget is presented what sums are to be allotted for transferred subjects and what sums for reserved subjects. In the year 1921, as I said, the total expenditure amounted to 15 crores, out of which 10 crores and odd were for reserved subjects and 5 crores and odd for transferred subjects; while the voted amount was 10 crores and odd and the non-voted was something less than 5 crores. In the present budget the expenditure has increased by one crore and it is now something more than 16 crores, and the amount spent on reserved subjects is 11 crores, that is, one crore more than in 1921, the amount on transferred subjects being the same as in 1921, that is, 5 crores; while the voted amount is 10 crores and the non-voted amount is 6 crores. So, it will be seen that the increase in expenditure provided for in the ensuing year's budget is one crore more on the reserved side and one crore more on the non-voted side. How this apportionment has been arrived at is a question.

As has been pointed yesterday by the Honourable the Finance Member, taxation has risen to such a high level that nearly Rs. 14·6 are required to be paid per head by the urban population, and to this has to be added the imperial taxes and the taxes by the local boards, making the total reach the figure of 20. Even then, the assessment on land is being increased. It is being increased notwithstanding a resolution of this House to the contrary, and even though there is famine in many villages—I am speaking of a particular part of the Tasgaon taluka—the assessment is being collected. When the prices of the produce of agriculture have gone down the assessment is being increased, and the reason for increasing the assessment is being given as increase in the prices of agricultural produce and increase in land values. Even Government have admitted in their note that land values have gone down under the head “9, Registration.” I will quote the rates to show how far they have declined. Some two or three years ago the rate for turmeric was Rs. 118 for 8 maunds—one maund of 16 seers weight—whereas last year it was only Rs. 18 or Rs. 19.

Mr. J. R. PATEL (Kaira District) (Addressed the House in Gujarati): Sir, when the copy of the budget came to my hand, I took it to read

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with a great hope that there will be something interesting in it. But I was much disappointed. I also listened to the speech of the Honourable the Finance Member yesterday with a mind to learn something, but to no purpose.

Coming to the budget, Sir, I do not find the reason as to why there should be a deficit in it. I would remind this House of the remarks of Sir Henry Lawrence made last year when he said :

"In the three years from April 1922 to April 1925 we raised our revenue balances from 2 crores to 5½ crores. The affairs of twenty million people were administered from a revenue of 14 crores and a crore and a quarter of rupees was set aside each year and that this is no mean achievement."

I, therefore, ask the Honourable the Finance Member how is it that he is unable to administer the affairs with 14 crores and show a saving ? Why should there be any deficit at all ? What is the reason for this ? Why the present Finance Member was not able to follow in the foot-steps of his predecessor whom he has given such a good certificate for marked ability ? I had great expectation that the present Finance Member being a Bania, there will be a great improvement this year in the budget. There is a proverb in Gujarathi : વાવજીર વગર રાજ્યા જાય, i.e., "*vania vajir vagar rajya jaya*", implying that Banias are proverbially best fitted to manage the affairs of a state. According to that proverb I expected great improvement in the budget, but I am sorry to say that the Honourable the Finance Member was not able to do so. I am glad to find that he is the first Indian who has been appointed the Finance Member and he ought to have seen, before taking charge of the finances of the presidency, whether he was able to effect any improvement on the last budget. If not, he ought to have refused to take the reins of the department in his hands.

We are told, Sir, that in order to meet the deficit we have to effect retrenchment. I quite agree with this point and would suggest that small servants should not be touched at all, but that the fat salaries of the officers and their numbers should be reduced, and there will be no deficit at all. We rural people contribute Rs. 8 per head towards the cost of administration and what do we get in return ? I would be told that a large sum has to be spent under the head "Police" for protecting our lives and property and that we are given education. But if you go to Gujarat you will find that the farmers themselves have to incur additional expenditure to protect their own fields. There, Sindhis have been engaged to protect crops in the fields from being robbed by thieves and yet there is no protection from wild animals. I admit that Government protect them from being robbed by thieves, but that protection is not sufficient for the farmer-class.

Now, Sir, I come to the question of Education. Under this head, a provision of about 2 crores has been made in the Budget. But what is the actual progress in education ? Before the Primary Education Act was passed, there was a regular programme of opening a certain number of schools every year, but after the Act was passed, Government thought it was no business of theirs to look to that. When local boards refused to take charge of schools, Government put a stop to all further

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expenditure. In spite of the increase in the number of pupils, additional teachers were not engaged. No new school buildings were built—even, old ones were not repaired. Even old maps were not replaced by new ones. I ask Government why it should be so. As long as the local boards refuse to take over schools, it is the duty of Government to provide for the education of the children. But Government say “You take over charge of the schools now existing, and if you find they are insufficient, you open more schools, if you please.” At present the local boards of Gujarat have refused to take charge of schools until Government accede to their demands. The result is that education of children suffers. Is this attitude of Government proper? I hope they will be able to redress the grievance.

Then, the development of industries is a very important and urgent matter. But the provision made in the budget is very meagre, practically nothing. The provision made for primary education is also very unsatisfactory; more provision is absolutely necessary for education as a whole, primary, secondary and collegiate.

Last year His Excellency the Governor in his speech stated that more provision was being made for the improvement of agriculture, for better cultivation of cotton seed, and so on, and so on. But what has been done actually in those directions? The expenditure on the Agricultural Department has increased from 7 lakhs in 1910-11 to 29 lakhs. But is the result commensurate with the cost? According to the figures of the department itself in 1884 every acre yielded about 925 lbs. of bajri; the yield of bajri per acre in 1917 was only 593 lbs. which proves that productivity of soil has deteriorated according to Government experiments also. Moreover model farms are being closed gradually. I wish to strongly urge on Government and on the House the absolute necessity and usefulness of more being done in the way of opening agricultural schools in order to educate the agriculturists. Unless the ignorance of the agriculturists is removed and they are trained to adopt better methods of cultivation, no great improvement is possible in their present very unsatisfactory condition.

Now, Sir, I will briefly touch the subject of revision settlements. Improvements of communications, Railways and roads and bridges, etc., are mentioned as justifying the increase. But I submit that railways and some roads and bridges were constructed more than 30 years ago; and they were taken into consideration at the time of the first revision. Are we to be taxed twice for benefits conferred once? Moreover have the prices of agricultural products risen to the same extent as the cost of cultivation has risen? Increase in the cost of cultivation, scarcity of rains, decrease in the number of bullocks and consequently in the quantity of manure, going down of the productivity of soil, and the increasing poverty of the agriculturists, all require that the assessment should be reduced and made permanent instead of raising it.

As regards the deficits, and the necessity of balancing the budget, I would only suggest, as other honourable members have suggested, substantial retrenchment, by reducing the number and emoluments of

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high offices. If we are living on our balances, the inevitable consequence will be bankruptcy.

The Honourable the PRESIDENT : Order, order. I should like to know from the honourable member who spoke last whether he knows English.

Mr. J. R. PATEL : I know, Sir.

The Honourable the PRESIDENT : I am told the honourable member not only knows English, but he is a graduate and a double graduate,—a B.A., LL.B.

Mr. J. R. PATEL : Yes, Sir.

The Honourable the PRESIDENT : If that is so, I may inform the House for their benefit that the rules do not allow speaking in a language other than English if the honourable member knows English.

Mr. G. L. WINTERBOTHAM : May we have the benefit of hearing that speech over again, Sir, in English as we were unable to follow what the honourable member spoke ?

Mr. J. R. PATEL : Am I allowed to speak again, in English ? (Laughter.)

The Honourable the PRESIDENT : No, no.

Mr. R. G. PRADHAN (Nasik District) : Mr. President, I wish to join in the satisfaction expressed by many honourable members at the fact that for the first time in the history of this province this budget has been presented by a countryman of ours, one, moreover, who, as he has himself reminded us of the fact, at one time held the office of a Minister. When the Honourable Sir Chunilal Mehta was appointed Chancellor of the Exchequer of this province, there was very general satisfaction, and high hopes were raised that with his keen financial acumen and, above all, his patriotism and his realisation of the Indian point of view, he would face the financial difficulties of this province boldly and will come forward before this Council with those radical changes and improvements without which, as I think, no substantial improvement in the financial position of this province is at all possible. But any one who has studied the speech which he made yesterday, as also the budget, cannot but feel a sense of disappointment at the helplessness with which he has been compelled to perform his task. As I read the speech which he made and as I read some of the sentences in that speech between the lines, I feel that he fully realises the condition of helplessness in which he finds himself, and that in his heart of hearts he is really fretting and fuming at the limitations and the restrictions under which he has to work. I am glad to find that he makes an admission that the measure of responsibility introduced by the Reforms is not a real one ; that is one indication of the internal state of mind with which he has approached the financial problem of this province. Then again, his reference to the Imperial services is more eloquent than any commentary could be. He seems to feel that if he had had the power and if the constitution had allowed it, he would have scrapped the salaries

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of the higher officers with their special privileges and with the many allowances which are given to them. I must therefore express my sincere sympathy with him in the peculiar circumstances which have compelled him against his real wishes to bring forward such a disappointing and such a colourless budget as this.

According to the Honourable the Finance Member, the root of our financial difficulties is the iniquitous Meston Settlement. I am glad to find that he uses the word "iniquitous," because that will enable the official benches to realise that at times certain things are done by Government which deserve to be characterised as "iniquitous." According to him, then, the root of our financial troubles is the Meston Settlement. Now I want to tell the House that this contains only a partial truth and even though the Meston Settlement is revised, even though the provincial contribution is dispensed with, and even though this province gets a share of the income-tax, I venture to say that the financial position of this province will not be as satisfactory as it should be and that the numerous problems with which we are to deal will not be satisfactorily solved. No doubt the revision of the Meston Settlement will give a partial relief. If the provincial contributions are done away with, and if this province gets a share of the income-tax—as the Taxation Enquiry Committee has recommended that this province should be given some share of the income-tax, probably in a couple of years we shall succeed in getting a share of the income-tax—what will be the net gain? I do not think we shall get more than at the most $1\frac{1}{2}$ crores of rupees. Our revenue will be increased by $1\frac{1}{2}$ crores. I ask this House and I ask Government whether even with the addition of $1\frac{1}{2}$ crores to our ordinary revenues, is it possible for us to satisfy all our growing needs? Is it possible for us to satisfy, for instance, the insistent demands of education, the insistent demands of public health and the thousand and other demands which must be satisfied if this presidency is to be a really progressive province. I submit, Sir, that even though that share of income-tax is given to us, the financial problem will not be satisfactorily and completely solved. And therefore the root of the whole financial difficulty goes further than that, and I say that it is impossible to permanently and fully improve our financial position until in the first place the whole fiscal system is thoroughly revised and secondly, until further substantial and constitutional reforms are introduced. We do not think, and I feel that in saying this I am expressing the views of a large section of my countrymen, that it is possible to place the finances of this province on a satisfactory footing unless our political aspirations are satisfied and unless, to speak plainly, we get full provincial responsible Government at any rate.

I come now to another point. The Honourable the Finance Member has rightly admitted that we must set our house in order whether the Government of India come to our rescue or not. But at the same time he says that there is no scope for further economy or further retrenchment. Now, taking for instance the Department of General Administration, the Honourable the Finance Member has quoted some figures and he says

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that the expenditure on General Administration (I am referring to page 13 of his printed speech) has gone up from 122·6 lakhs to 126·1 lakhs. Now a few days ago we were furnished with a copy of the report of the proceedings of the meeting of the Committee on Public Accounts. In that report there is a note on our financial position by Mr. Dalal, the Deputy Secretary of the Finance Department. In that note I find the figures with regard to General Administration given as follows. At page 69 of this report it has been stated that the net expenditure on General Administration has risen from the year 1921-22, from Rs. 1,22,62,000 to Rs. 2,29,28,000. My honourable friend, the Finance Member, shakes his head, but I hold the report in my hand and there are the figures, and I confess I find it extremely difficult to reconcile those figures with the figures which are quoted in the speech. Either the figures as given in this report are wrong or the figures as given in the speech are wrong ; which of them are wrong I do not know, but I believe the figures mentioned in the note are correct. If those figures mentioned in the note are correct, it will show clearly what great increase has taken place in the expenditure on General Administration. Here is a discrepancy and I hope the Honourable the Finance Member, when he rises to give his reply, will try to explain that discrepancy. I know he will, but whatever figures are taken, there can be absolutely no doubt that the expenditure on General Administration is abnormal, and I venture to suggest that in that particular direction there must be considerable scope for retrenchment and economy. No doubt, if the Secretariat is touched, if the General Administration is touched, some officers will have to commit suicide, or *hara kiri*, but I have no doubt they will not mind committing *hara kiri* if the interests of the Province demand it. I feel perfectly sure that in this direction there will be found sufficient room for retrenchment, and a considerable amount will be saved. Sir, there can be no doubt whatever that, situated as we are, the utmost efforts must be made to practise retrenchment. It is not possible for us on the non-official side, to point out in what particular matters retrenchment can be effected. I shall, therefore, content myself with drawing the attention of the Honourable the Finance Member to certain remarks which were made by Lord Oxford in the House of Lords, when he spoke for the first time on the Finance Bill when it was introduced in the House of Lords, after his elevation to the peerage. Nobody can question the administrative ability and the administrative experience of Lord Oxford, and yet he himself thought it necessary to give a warning to His Majesty's Ministers that the utmost economy must be practised. So, I would invite the attention of the Honourable the Finance Member to one or two sentences from his speech. Lord Oxford says :

“ The inference, the inevitable inference is that there is one and only one way of escape, ruthless and relentless cutting down and cutting off of every form of avoidable expenditure. That must be the policy which the Government must pursue, and the matter must be taken in hand by the Honourable the Finance Member himself. No doubt, he has appointed a Retrenchment Officer. He himself, I am told, is drawing Rs. 3,000 per month. Naturally, therefore

[Mr. R. G. Pradhan]

that involves additional expenditure. It may be necessary, but the Honourable the Finance Member himself must take the question in his hands, and if he finds, after careful scrutiny and examination of every department, that ruthless cutting off of expenditure in any particular direction must be resorted to, he must not flinch from the task, however disagreeable it may be. Then, Sir,

The Honourable the PRESIDENT : The honourable member has only three minutes more.

Mr. R. G. PRADHAN : The Honourable the Finance Member has referred at the end of his speech to the coming of the Royal Commission, and in view of that Royal Commission he has asked us to judge every question on its own merits. I, on behalf of myself and on behalf of the party which I represent, fully reciprocate that sentiment. But, at the same time, let the Government remember that the merits of a particular question are not all on their side, that more often than not the merits of a particular question will be found to lie on this side and not on that side ; and I hope when he brings forward any particular measure and asks the support of the House for that measure, he will realize that probably the Government may be in the wrong and that this House may be in the right, and if that is so, he will make it his business and his duty to respond to the wishes of this House as cheerfully as he ought to. Sir, he has taken us to task for being, as he says, inconsistent in certain matters. Well, to him, no doubt, our attitude in certain respects would appear to be inconsistent. I quite see that he is probably referring to the Sathe-Paranjpye scheme, about which we passed a resolution at the last session of the Council. We have passed that resolution, and we will insist upon the Government giving effect to that resolution, because we think it is but fair to the primary teachers that they should get the scale of salaries according to the Sathe-Paranjpye scheme. If we are willing to sanction that scale, but at the same time oppose any other measure which the Government may place before the House, that does not make us inconsistent. Every measure, as the Honourable Member himself has said, must be judged on its merits, and if our point of view is properly understood by the Government, the Government will not find it difficult to understand that very often the criticisms which we make are right and that the Government will profit immensely if those criticisms are carefully borne in mind. With these words, I resume my seat.

The Honourable the PRESIDENT : No other honourable member seems to be anxious to address the House. If that is so, the only course left for me is to call upon the Honourable the Finance Member to reply.

Mr. N. R. GUNJAL (Poona District) (*rose*).

The Honourable the PRESIDENT : In that case, I do not think we can proceed, unless the honourable member can finish his speech in ten minutes.

Sir JOSEPH KAY (Bombay Chamber of Commerce) : Sir, I am afraid I cannot join in the chorus of condemnation which has been voiced by honourable members opposite to-day with regard to the budget itself and the methods adopted by the Honourable the Finance Member to balance it. My sympathy goes out to the Honourable the Finance Member because of the extraordinary conditions which prevailed last year and which do prevail in this presidency to-day. Honourable members seem to forget that we have been passing through one of the worst cycles of trade depression which this city has experienced during the last twenty years. In these circumstances, therefore, I think one should at least be a little sympathetic and try to put forward some constructive proposals if possible to help during the bad times which we are passing through and which are ahead of us. Those who have watched the developments of trade and commerce know perfectly well that we are faced, and that the Honourable the Finance Member is faced, with tremendous financial difficulties. It has been my privilege, during the last six or seven months, to be chairman of the committee, appointed under a resolution of this House, to try and find out ways and means for replacing the loss of revenue if total prohibition is enforced. We have tried to find out ways and means for replacing that revenue, and the previous speaker, the honourable member for Nasik (Mr. R. G. Pradhan), knows perfectly well the difficulties we had in trying to find out new sources of revenue. In those circumstances, therefore, it seems to me a little unfair to simply criticise the Honourable the Finance Member for his methods.

The only constructive criticism which I have heard is that further retrenchment should be enforced, and with which I am in full accord. What I am concerned with is this. We have to face a deficit this year, and I think, unless we get the Government of India to revise the Meston Settlement, this presidency will have to meet a deficit for some years to come.

There are two points to which I wish to refer. I am not going to criticise in detail the budget as has been done by honourable members opposite. The first point I wish to refer to is the disappearance of the balances referred to by the Honourable the Finance Member in his speech.

A year ago it was stated in that year's budget :

"It is obvious that we cannot continue to live on our balances. We are now, it is true, reaping the benefit of the policy of building up balances. But it was never the intention underlying that policy that we should utilize them to meet an inevitable expansion of expenditure. We can only legitimately use them for that purpose while we take stock of the situation. The situation is this. Our existing sources of revenue will not expand to the extent required. Therefore, we must either find new sources or rigidly cut down our activities, and deprive the province of the services to which it has become accustomed."

It was pointed out by the Honourable the Finance Member in his speech yesterday that the balances were dwindling, but the honourable member did not give us any indication how he proposes to prevent our balances from disappearing altogether. We seem to have no new sources of expanding revenue. That means a depletion of our balances which ultimately will lead to bankruptcy. I would like the Honourable the Finance Member to take that long view which is so necessary in dealing with the finances of this presidency, and give us an idea of what his future programme is.

[Sir Joseph Kay]

My second point is, the Honourable the Finance Member yesterday in his able speech dealt with what I consider to be a very serious subject, namely, the Development Scheme. He deals in four brief paragraphs with a subject of such great importance. I consider the expenditure on the Bombay Development is one of the most serious items in the whole budget. To my mind the Honourable the Finance Member ought to have dealt with that subject in greater detail as it entails a serious charge on the revenues of the presidency, and my personal view is that it is one of the most serious subjects we have to deal with. I shall have much more to say on that subject when the grant under that head comes up for discussion.

MOULVI RAFIUDDIN AHMAD (Central Division): Sir, with your permission, I would request the Honourable the Home Member to make a statement with regard to the unfortunate recent riots if he has got any more information on the subject with regard to the casualties or the number of those treated in the hospitals.

The Honourable Mr. J. E. B. HOTSON: Mr. President, I will begin by saying that at the present stage I am not prepared to express any opinion whatever on the origin of the riot. Mr. Kelly's enquiries are going on. Until we have got all the information that is available, or can be made available, from any source, it would not be fair to say anything which might prejudice the result. One erroneous statement appeared in the newspapers, and has been repeated to-day, that the magistrate ordered the police to fire in the air. He gave no such order. He ordered the police to fire at the mob. Before they fired due warning had been given to the crowd that they must disperse.

As regards the figures of killed and wounded, what appeared in the newspapers is, I understand, substantially correct. I hoped to get official figures, but they have not come in. Yesterday rumours were going about that there were further disturbances. There was one assault about noon yesterday, but it is not certain that it was directly connected with the disturbance of the previous night. After the Council rose, yesterday evening, I drove with Mr. Lalji Naranji and Mr. Monteath through Nagdevi and Chakla Street. We found everything was perfectly quiet, the shops were open, business in progress, and ladies and children going about the road without any anxiety. There was nothing to indicate that there was any likelihood of a further disturbance, and we saw nothing out of the common there, except a few more policemen than usual in that part of the town. I am glad to say that the leaders of the several communities seem to have done their best to help in the restoration and maintenance of order, and I believe there is every hope that there will not be a recurrence of the trouble to tarnish the fair name of Bombay.

The Honourable the PRESIDENT: Order, order. The House will now adjourn till 2 o'clock to-morrow, Wednesday, the 23rd February 1927.

Vol. XIX

Part V



Bombay Legislative Council Debates

Official Report

Wednesday, February 23, 1927

[Price—Annas 5 or 6d.]

BOMBAY

PRINTED AT THE GOVERNMENT CENTRAL PRESS
1927

Obtainable from the Superintendent of Government Printing and Stationery,
Bombay, from the High Commissioner for India, 41 Grosvenor Gardens,
S W 1, London, or through any recognised Bookseller.

Wednesday, the 23rd February 1927

The Council re assembled at the Town Hall, Bombay, at 2 p m on Wednesday, the 23rd February 1927, the Honourable the President, Mr A M K DEHLAVI, Bar at law, presiding

Present .

ABDUL LATIF HAJI HAJRAT KHAN, Khan Saheb
 ADDYMAN, Mr J
 AHMAD MOULVI RAFTUDDIN
 ALLAHBAKSH walad Khan Saheb HAJI MAHOMED UMAR, Mr
 AMBEDKAR, Dr B R
 AMIN, Mr H J
 ANDERSON, Mr F G H
 ANGADI, Rao Bahadur S N
 ASAVLE, Mr R S
 ATAVANE, Mr A M
 BALAK RAM, Mr
 BECHAR, Mr N A
 BHOSLE, Mr M G
 BHURGRI, Mr J W.
 BHUTTO, Khan Bahadur S N.
 BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
 BIRADAR, SARDAR MAHABOOBALI KHAN
 BOLL, Mr S K
 BROWNE, Mr D R H
 CHANDRACHUD, Mr N B
 CHATFIELD, Mr G E
 CHIKODI, Mr P R
 DABHOLKAR, Sir VASANTRAO
 DAGUNIYA, Mr G A
 DAUDKHAN SHALLBHOY, Mr
 DESAI, the Honourable Dewan Bahadur HARILAL D.
 DESAI, Mr B T
 DESAI, Mr J B
 DESAI, Rao Saheb D P
 DESHPANDE, Mr L M
 DIXIT, Dr M K
 DUGUID, Mr A
 FIRODEA, Mr K S
 GHOSAL, Mr J
 GHULAM HAIDAR SHAH, Mr
 GHULAM HUSSAIN, the Honourable Sir
 GHULAM NABI SHAH, Khan Saheb
 GILDER, Dr M D
 GINWALLA, Mr F J
 GUNJAL, Mr N R

HARRISON, Mr. C. S. C.
HATCH, Mr. G. W.
HOTSON, the Honourable Mr. J. E. B.
JADHAV, Mr. B. V.
JAIRAMDAS DOULATRAM, Mr.
JAN MAHOMED KHAN, Khan Bahadur
JANVEKAR, Mr. D. A.
JATOI, Khan Bahadur HAJI IMAMBAKSH KHAN
JEHANGIR, the Honourable Mr. COWASJI
JITEKAR, Mr. HAJI IBRAHIM HAJI MAHOMED
JOG, Mr. V. N.
JONES, Mr. W. E.
JOSHI, Mr. S. C.
KALE, Rao Bahadur R. R.
KAMBLI, Rao Bahadur S. T.
KARKI, Mr. M. D.
KAY, Sir JOSEPH
KHUHRO, Mr. M. S.
LALJI NARANJI, Mr.
LALLJEE, Mr. HOOSEINBHROY ABDULLABHOY
LIGADE, Mr. S. P.
MAJMUDAR, Mr. N. G.
MANSURI, Khan Saheb A. M.
MARTIN, Mr. J. R.
MEHTA, the Honourable Sir CHUNILAL
MIR MAHOMED BALOOCH SHAIKH, Mr.
MONTEATH, Mr. J.
MUJUMDAR, Sardar G. N.
MUKADAM, Mr. W. S.
MURZBAN, Mr. P. J.
NAIK, Rao Bahadur B. R.
NANAL, Mr. B. R.
NARIMAN, Mr. K. F.
NOOR MAHOMED, Mr.
OLIVEIRA, Mr. F.
OWEN, Mr. A. C.
PAHALAJANI, Mr. B. G.
PAINTER, Mr. H. L.
PATASKAR, Mr. H. V.
PATEL, Mr. G. I.
PATEL, Mr. J. R.
PATIL, Rao Saheb D. R.
PERRY, Mr. E. W.
PETCH, Mr. F. W.
PRADHAN, the Honourable Mr. G. B.
PRADHAN, Mr. R. G.
RAHIMTOOLA, Mr. HOUSENALLY M.
RAJMAL LAKHICHAND, Mr.

RIEU, the Honourable Mr. J. I.
 SARDESAI, Mr. S. A.
 SAYED MUHAMMAD KAMIL SHAH
 SAYED MUNAWAR, Mr.
 SHAIKH ABDUL AZIZ ABDUL LATIF, Mr.
 SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
 SHETH, Mr. A. D.
 SMYTH, Mr. J. W.
 SOLANKI, Dr. PURUSHOTTAMRAI G.
 SURVE, Mr. V. A.
 SWAMINARAYAN, Mr. J. C.
 TAUNTON, Mr. I. H.
 THORNER, Mr. J. P.
 TURNER, Mr. C. W. A.
 VANDEKAR, Rao Saheb R. V.
 WILES, Mr. G.
 WINTERBOTHAM, Mr. G. L.

The Honourable the PRESIDENT: Order, order. Before we go on to the discussion of the budget, I think, from what I have been observing for the last two days in the Council, that it would be better to bring to the notice particularly of new honourable members certain practices which have been followed in this House in the past. One is that when an honourable member is addressing the President, no other member, if he has to go out of the House or come into the House, should cross the floor and come in between the honourable member speaking and the President. Again, if there is no convenient way of getting back to his seat an honourable member should not jump on the bench and walk over to it by passing at the back of honourable members. Another, honourable members should not read any newspaper in the House when the House is working. A new arrangement of benches has been made in accordance with the wishes of several honourable members, and I hope it will be found to be a better arrangement; otherwise, we will have to think over the matter once again. The last thing which I should like to bring to the notice of honourable members may perhaps be considered a delicate matter, but I think it is after all my duty rather than anybody else's to bring it to their notice, and it is the question of occupying the front opposition bench. That bench cannot hold more than a certain number of members. After all, we can only go by the capacity of the bench and cannot go beyond that. I find there are four small benches put together and made into one front bench. Each small bench, according to the arrangements made here, I see, is really meant for two. Therefore the front bench on this side or that side can only accommodate 8 honourable members, and the front opposition bench, I understand, is really meant for honourable members who are leaders in the House, and leaders cannot perform their duties as members of the Council unless and until they are seated comfortably; if they are not seated comfortably, but are crowded in, I do not suppose they will be at ease in doing their duty. It is for honourable members to see that if the front bench cannot afford them accommodation they should get to the next

[The President]

best place, and not make it inconvenient for others on the front bench. I trust that these remarks will be taken in the light they are made.

(General discussion on the budget resumed)

Rao Bahadur R. R. KALE (Satara District) : Sir, while I am glad that an opportunity has been given to an Indian, for the first time in the annals of this House, to enjoy the proud privilege of being placed in charge of the Finance Department of this Government, I cannot associate myself with those honourable members who have offered congratulations to the Honourable the Finance Member, nor with those who have showered condemnations on him. As one looks through the pages of the speech delivered by the Honourable the Finance Member, one cannot disguise a feeling of disappointment, disappointment not at what the honourable member has not budgetted for, but disappointment at the absence of an enunciation of any new policy in order to place the finances of this presidency on a sound and satisfactory basis. The finances of this Presidency are almost in an embarrassed condition and the enactment of the Reforms synchronised with a display of deficit budgets year after year. That is a difficult situation and we all sympathise with the Honourable the Finance Member faced as he is with a difficult position and inherited, as he has, the legacy of wrongs inflicted and acts of "commission and omission," which were the result of the Government who inflicted those wrongs and committed those blunders. But he need not, and should not, have inherited the policy of his predecessors, and the disappointment is keener and sadder when we find him making a statement of the same policy, namely, "there seems little prospect of our finances ever being prosperous until the injustice done by that settlement is put right." That is one point, and the second point is about the question of retrenchment. In fact, these are the two points which have formed the burthen of song in all the previous budgets. In the first year of the Reformed Council we were told that the Meston Settlement had upset the finances, and when that was set right the finances could be improved. Then there was the question of the appointment of a special officer to go into the matter of retrenchment with a view to improve the finances. But the Council then strongly objected to the appointment of this officer, and I had to move a resolution for the appointment of a committee consisting of official and non official members of the Council to go through the whole question of expenditure and submit a report thereon. That resolution was resisted by every member of Government, but in spite of this resistance, the Council carried the resolution and a Retrenchment Committee was appointed. This Committee began to work availing itself of the officers who were placed at its disposal, but it took some time to complete its report. It was, therefore, represented to the Council that for a time the finances were in a nebulous condition and the retrenchment could not be had at once. It was for this reason that the Council was induced to give the Government a little time to consider the situation, and we did not like to bring about a deadlock. When two Taxation Bills, namely, the Court-fees Bill and the Stamp Act, were brought before the Council, we provisionally

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sanctioned them, but not like other presidencies to be permanent on the Statute Book. We then put a time-limit of two or three years in order to give time to consider the situation and improve the financial condition, so that at the end of that period these bills would be discontinued. We, therefore, expected that by the time the report of the Retrenchment Committee was out, Government would consider the proposals and set to work accordingly. The Retrenchment Committee's report was out, they made a number of recommendations, some of them dealing with the question of the number of the higher appointments, and the Government issued a statement on that report saying which of the recommendations they were pleased to accept and made observations as regards others stating that some proposals were not practicable and others were awaited until the decision of the Lee Commission was known. Now, Sir, I have here to point out that there was no reason to await the report of the Lee Commission. I am one of those who believe that under the present Government of India Act retrenchment and economy can be practised in the personnel of the higher offices of Government. For instance, the number of members of the Executive Council is excessive. Under Section 47A the power is given to the Secretary of State to fix this number. But the Government of India and the Government of Bombay have to put their heads together and find out some source by which more money can be left to the Provincial Government. If it was not possible for them to do this, the only course is for them to reduce the number. I think Government should consider and take action in this matter.

Secondly, there is a provision under Section 96D of the Government of India Act, that when the Act was passed rules should be framed and the Government of India and Local Governments be given powers for the purpose of passing the necessary legislations. For instance, the Public Services Act can be passed by the Bombay Government with the help of this Council. Then we must see that there is provincialization of the services so as to make the services more amenable to the new form of Government. As soon as the Act was passed, several rules were framed as regards Central, Reserved and Transferred subjects, but no rules have been framed under that section in that behalf. Under that clause the power of the Secretary of State to make appointments has been delegated to the Government of India or to Local Government. I submit, Sir, that is the point which seems to me to have been neglected, and I ask the honourable members, who form the Government, whether they have done anything in this matter. Provincialization of services is the crux of the whole question. Under the present constitution, no doubt certain number of posts fixed for the I.C.S. men cannot be touched. But still my submission is that the number in excess of that which is laid down under the Government of India Act can certainly be curtailed. A cry was raised and discontent was said to have been caused in England by which no sufficient recruits were said to be forthcoming. I submit that if no recruits were willing to come because of the changed conditions, because of the low remuneration and all that, then Government ought to have taken advantage of that circumstance by stopping further

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recruitment in England. The present recruitment for the I.C.S. will continue and is bound to continue for a sufficiently long number of years, and if we are going to have sound responsible Government, and if we are going to be prepared to take part in the administration of our own affairs, I think indianisation must proceed very rapidly. That was the intention of the Government of India Act and the preamble to the Government of India Act which related to this question, although it was omitted in the first instance, it was passed later on. But unfortunately, the preamble does not appear in the authorised edition published under the authority of Government. I do not know why. It is a very important part of the enactment and that certainly should have been embodied and have taken its place in the Act in the authorised edition. My point is that this question of Indianisation is closely bound up with the question of economy. The issue is not in any way connected with racial or communal considerations. I beg the honourable members opposite will not misunderstand me when I say that the question of indianisation has nothing to do with the racial or communal side. It is purely an economic side. The late Dadabhai Naoroji was never tired of repeatedly complaining of the high cost of administration due to the employment of foreign labour, and the Commissions that sat from time to time, the Aitchison Commission of 1886-87, the Welby Commission of 1898, then further on, the Public Services Commission, the dissenting minute of Sir Abdur Rahim which he wrote as a member of that Commission, one and all have clearly laid down the necessity of provincialising the services, meaning that the recruitment for the various services in India should take place in India and not in England. Their status should be improved and when the market rates in India are lower, the salaries should be fixed accordingly. But we find that in spite of the findings of the Commissions that sat from time to time, no attempt has been made in that direction, and the reason is not far to seek. Because the executive, which is the constituted Government, consists of persons who have always been unwilling to undertake any kind of policy which would tend or which would result in curtailing their power. They are unwilling to part with power which they have had so far, and the result has been the ever-increasing burdens on the tax-payer. Therefore, I submit the reason given by the Finance Member, namely, the after-effects of the war, is not the only reason. Side by side the Government of Bombay and the Government of India should put their heads together and see how they can give effect to the object which the Government of India Act has in view and proceed to indianise the services so as to effect economy.

Then, I come to the question of increasing the revenue side. In this connection, large schemes of reclamation that were undertaken have ended in a loss, as we see. My submission is that when the finances were embarrassed, the Government should not have proceeded to undertake such large schemes, but should better have proceeded to undertake small works of irrigation or small works of reclamation. For instance, there are thousands of acres of land in a part called Konkan between the Arabian Sea and the Sahvadri Mountains where the sea water has

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washed large tracts of land and villagers were willing to assist, if Government came to their help, in putting bandharas so as to prevent land being washed away. There is great necessity of storing water. Rainfall has been growing deficient year after year and the necessity of water supply even for drinking purposes is much more and for the improvement of agriculture, all this was a necessity which could have been foreseen and steps should have been taken to remedy matters. I know in the last year in a report from the Superintending Engineer on special duty it was mentioned that projects proposed had been in the possession of Government in olden times but no steps seem to have been taken and so far out of 1,330 proposals only in two cases work is under construction, taking all the districts in the Central, Northern and Southern Divisions, all put together. My submission is, if instead of this huge amount being wasted in schemes like the Back Bay Reclamation Scheme the amount were spread over the whole country in improving land and consequently the yield from land, people would certainly be prepared to bear any additional taxation in the form of raising their assessment. But without any improvement in land now you have the automatic revision settlement and the people are complaining of the higher rates. I do not know how the Finance Member says the land revenue is expected to be large. I wish that were so and that no enhanced rates are levied. But, apart from that, I think there are these considerations which certainly should have occupied the attention of Government in times gone by and certainly should occupy the time of Government in the near future by which small reclamations or small irrigation works and improvement of agriculture might take place and that might supply Government with resources. I think the time at my disposal is up and I do not wish to take more time of the House.

Mr. G. WILES : Sir, may I begin by expressing my sympathy with those honourable members who are new to this House in their difficulty in mastering these bulky volumes that we have put before them ? I have often had to say it before—there is no harm in saying it again—that it is impossible for us to present these volumes to members a day earlier than we do. For it is essential that we should incorporate in them the very latest figures that we have of the expenditure in the current year. There is some misunderstanding, I gather from the debate, regarding some of the additional statements which we put in the beginning of the Blue Book. These were put in for the very special purpose of comparison and they must be used with care. The danger of using these forms without exercising proper care was illustrated by my honourable friend Rao Saheb Dadubhai Desai yesterday when he compared the expenditure on transferred and reserved subjects. Instead of using the post-reforms classification, which is given in statement II, he utilised the old classification which is given in form IV which is the actual classification as it happened to exist at the time being. The result was that, among other things, he lost sight of a little sum of Rs. 96 lakhs on account of alienated lands which, under the old classification, used to be shown under a

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separate head and since the reforms has been incorporated in the head General Administration.

While on the subject of accounts, I may be permitted to remove one other misapprehension about the question of what is called the deficit. The system of accounts which appears in the White Book is one imposed upon us from above. It is perfectly true that it is confusing because it makes no differentiation between revenue and capital receipts and expenditure. There are only two heads, one for receipts and one for disbursements. A true deficit in any one year is the excess in that year of expenditure debitable to revenue over revenue. This next year will be 50 lakhs. The statement at pages 16 and 17 of the Blue Book I hope makes this perfectly clear. The Development Department expenditure is entirely capital expenditure and the only sum debited at present to the provincial revenues is the sum of 27½ lakhs which is given as a subsidy to that department.

I am anxious, Sir, to re-assure those members who are genuinely concerned about the undoubted fact that for the second year in succession we are presenting what is called a deficit budget. I cannot hope to placate those honourable members who find something to suspect in every move of Government. Those members who come pledged, as I understand some members have come pledged, to oppose Government in all their ways good or bad, by that very fact deprive themselves of the right to be taken seriously in debate, but to those others whom the apparent prospect of a series of deficits has undoubtedly alarmed, I recommend to study carefully the report of the proceedings of last year of the Public Accounts Committee, to which the honourable member Mr. Lalji Naranji has already referred. They will find there in concentrated form the very worst that can be said of the finances of the presidency, and if they read with understanding, they will find no cause possibly for jubilation but certainly no cause for being disheartened. I will ask them to consider another fact, which is that our savings are in one sense equally revenue, and there exists no way of spending them except by having what is called a deficit budget, that is to say, excess of expenditure in one year over the revenues of that year. While normally there is no justification for meeting normal recurring expenditure from such savings, I trust I may be able in the short time at my disposal to show clearly the reasons why we consider that course to be justified in the present year. Let me touch briefly on our capital commitments. My honourable friend Mr. Lalji Naranji has thought it his duty to paint the picture in the most gloomy colours and I think it my duty, Sir, to add a more rosy tint to the picture. May I assure my honourable friend that what he is pleased to call the I.C.S. point of view is the point of view of the Honourable the Finance Member and I believe of the honourable member Mr. Lalji Naranji himself—to do our best by the people of this presidency.

Let us look at the statements on pages 32 and 33 of the Blue Book. I trust the House will agree with me that in a candid consideration of the debt of Government it is perfectly legitimate to exclude the sums

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borrowed from the Government of India, under the security of Government, by independent bodies administered by gentlemen in no respect under the control of Government, enjoying revenues entirely distinct from those of Government. If we were debating the general indebtedness of the province, that would be a different matter, and in that case we should in estimating the security add the local revenues to the provincial revenues. But for our present purpose the outstanding debt is 35 crores, or if we exclude the irredeemable irrigation debt on which we pay an exceptionally low rate of interest, 26 crores. If I put it in this way, that excluding the irredeemable pre-reform irrigation debt, the entire debt of this great province only exceeds that of the Bombay Municipality by some 7 crores, it will be realised how essentially sound our financial position is. We have had our disappointments, as all the world is now aware : and we have taken the only possible course in providing from revenues forthwith interest and sinking fund on what is estimated to be the loss on the Development Department operations. Of the financial propriety of this. I think there can be no doubt. So far as we can now see ahead, the ultimate burden on the revenues of this province will not exceed the burden which we have already placed upon them. But why, Sir, should we regard the debt as a burden only and shut our eyes to the other side of the picture ? Is it nothing to us that we have purchased with that debt those great irrigation works which will save from famine a large tract of the Deccan, works which have evoked the admiration of the whole world ? Are we so faint hearted that already we are regretting the expenditure we are making on the Sukkur Barrage, a work which will bring water to millions of the parched acres of Sind and which is destined to give revenue for ever for the progress of the province ?

To proceed, Sir, it will be seen that withdrawal from our balances for the next year will leave us at the end of the year with a working balance of 108 lakhs. This is a limit below which we cannot go very far without running the risk of having to overdraw in the course of our ordinary administration. It will therefore be impossible to draw upon this reserve in future years to meet any excess of expenditure over revenue without replacing in our balances the sum which we have advanced to the Sukkur Barrage. That is a procedure which we do not contemplate following except in grave emergency ; and we have no reason to believe that with the goodwill of the Government of India we shall be unable to present next year a budget which will not involve any support from the Reserve. But the money is there, and for purposes of a complete understanding of the financial position, our Reserve may be taken as being about 230 lakhs, after meeting the estimated deficit.

May I be permitted, Sir, with all humility, to resent the unfair attacks that have been made upon the Honourable the Finance Member ? The light and airy way in which his arm-chair critics have assumed that he has only to wave his fairy wand in order to eliminate the Secretary of State, and that Secretaries and Commissioners and Ministers and other sources of obstruction will disappear in the night, thereby setting free

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crores of rupees which can be devoted to nation building purposes, would be ludicrous if it had not its sad aspect. Jestng aside, Sir, I think I can hardly be said to misrepresent some of our less thoughtful critics. I do not wish to include in this criticism such reasoned and careful statements as that which the honourable member Rao Bahadur Kale has just given to us.

One of the Honourable the Finance Member's first actions, for which strangely enough he has been assailed and not commended, was to appoint an officer with instructions to investigate in detail the cost of every branch of the administration. The object of the appointment of this special officer was to satisfy Government that no extravagance existed in any branch of the administration, and to enable Government to get rid of it where it was found. The establishments of every department have, therefore, come under close scrutiny. The process is in fact an extension to the existing expenditure of the process which is being continually exercised by the Finance Department in relation to new items. The special officer has had no authority to recommend any considerable change of policy, and the House must not, therefore, expect to find among his recommendations any which will involve any such upheaval. But his investigations have enabled Government to tighten up the finances in certain details. Considerable savings have been effected, and more will follow. This work was an essential preliminary to any further retrenchment which Government may decide upon in future in order to balance revenue and expenditure, or to set free funds for expansion. When his work is completed, the Honourable the Finance Member and Government will be in possession of information which will enable them to take action and, if necessary, to place proposals before this House, but it will not be necessary to incur again the cost of a special committee to do over again the work which the committee did in 1923 and of this special officer. I must make it clear that so far as we can see at present, no further retrenchment can be carried out without a curtailment of essential services.

The idea is very prevalent that considerable economies can be effected by an attack on what is believed to be the top-heaviness of the administration. Let us try to give an entirely dispassionate consideration to this question. Let us put away all rhetorical reference to tall poppies and rash talk of doing away with a stroke of the pen all superior appointments. Business men very well know how soon the point is reached at which it is uneconomical to do away with superior appointments. I would invite the attention of the House to the percentages which the cost of the various services bear to our total expenditure. They are, the All-India Services 5·3, the Provincial Services 5·1, and other establishments 30 per cent. That is to say, the total cost of all gazetted officers is as 1 in 4 of the total cost of all establishments. (An Honourable MEMBER : What is the number ?) It is clear, therefore, that even if we accept the slogan that retrenchment must begin at the top, we can expect little permanent relief from any attack on the cost of the superior staff. This has often been said, but it seems to be worth

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repeating. The Honourable the Finance Member has pointed out that in respect of gazetted officers we are in exactly the same position as other Provinces, and he has given us some reasons to account for the higher rates which perforce we give to our other establishments. On the question of numbers I am not in a position to give an answer at the moment. The Honourable the Finance Member will deal with that himself.

On the question of compensatory allowances, my honourable friend from Ahmedabad has come grievously to error. There is no scandal about these allowances. They were not given on account of war conditions. They are not confined, as his words would lead us to believe, to the all-India Services. Just as ministerial officers, that is to say clerks and others, when serving in Bombay, get a special rate of pay, so also, all executive officers, high and low, who have scales of pay based on mofussil conditions, get, when they come to Bombay or other expensive centres like Poona and Karachi, a temporary rise in pay which is known as compensatory allowance. The fact that all officers got increased pay owing to the high cost of living is entirely irrelevant. As a measure of economy, it is proposed to reduce these rates in the coming year.

There is another common misapprehension to which I may refer, and that is the cost of the move of the Government to Mahabaleshwar and Poona. I have even seen it suggested that the saving by cutting out this move would balance our budget. I think many honourable members are under the impression that the transfer of Government to Poona and Mahabaleshwar involves considerable duplication of establishment. This is not a fact. The Honourable Ministers and Members of Council and Secretaries as a rule travel with only one clerk, the personal clerk attached to them. The total saving that would be made if Government as a whole refrained from going to Mahabaleshwar would be Rs. 27,000. In regard to the move to Poona, the Retrenchment Committee recommended, not that Government should stay in Bombay, as my honourable friend from Ahmedabad said, but that the headquarters of the Government should be transferred to Poona. That might perhaps be economical in the long run, but it would involve great capital cost in the beginning, and I believe, on its own merits, would not appeal to a great many members of this House. The cost of the annual move, as worked out in 1923 by the Retrenchment Committee, was about Rs. 42,000, and to that we may add some savings on account of Government buildings which may have to be abandoned.

The Honourable the PRESIDENT: Is the honourable member likely to take much longer time?

Mr. G. WILES: I will close, Sir. Whatever may be said, therefore, against these moves on the score of administrative inconvenience, I think it is clear that the idea that great expenditure is involved must be abandoned.

I had hoped to go into some facts relating to the figures for next year, but I see that my time is up.

Mr. B. V. JADHAV (Satara District): Sir, in the first place, I am very glad to offer my sincere congratulations to the Honourable the Finance

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Member for the successful way in which he has administered the department during his tenure of the office. He has set his mark on that department, and the lucid way in which he has presented the budget will speak for itself.

It is very unfortunate that this is one of the lean years, and the budget is a deficit one. Every one will agree that the Honourable the Finance Member is not responsible for it, and I do not think that it is justifiable to level such criticism at him as has been heard in this House.

The last Honourable Finance Member, Sir Henry Lawrence, had his last fling at this House last year, and the present Finance Member has enjoyed a fling at the Swarajists and the communalists as he calls others. I am not here to speak for the Swarajists, because they are able to defend themselves, but I wish to say a few words by way of protest on behalf of the other group. The Honourable the Finance Member says that direct encouragement is given to groups based on communal considerations, which unfortunately form themselves too easily in this country or to combinations brought about for securing some temporary or parochial advantage. I am at a loss to know to whom it refers.

MOULVI RAFIUDDIN AHMAD : To you. (Laughter.)

Mr. B. V. JADHAV : I am told that it refers to me, but I may remind the honourable member Moulvi Saheb that the cap also fits him. It is a very elastic cap which can fit anybody. I may even venture a suggestion that it fits also the new ministry (hear, hear), because it has been brought about to obtain a temporary or parochial advantage. So it is a very convenient cap and the manufacturer of that cap ought to be complimented upon it. (An honourable member : The speaker.) Further the Honourable the Finance Member says :

“ But a negative policy based on continuous and indiscriminate opposition is merely futile and demoralizing and one building itself on communal considerations may perhaps enjoy a short life but is equally liable to come to grief.”

In the case of some, communalism is as a red rag to a bull. I would give an instance from another province, that of Sir Abdur Rahim. When he was raised to the High Court bench he was praised as one of the best judges. When he was a member of the Executive Council, he acquitted himself well and everybody praised him. When he was on the Royal Commission his work was applauded. But lately he has committed one unpardonable sin. He has realized that as long as equality is not brought about in the status, educational and otherwise, among his co-religionists, so long the progress of the country will not be even. Like an honest man he gave expression to his conviction and thus committed in the eyes of the Hindu politicians of Bengal the unpardonable crime of communalism and even men of sober judgment are not willing to associate with him. I trust that the politicians of the Bombay Presidency will not go to that extreme. We are always noted for our sobriety of judgment and for our large-heartedness. Sir, communalism is not a plant of recent growth : it is an ancient one. (Interruption..) I am not going to attribute the credit or discredit of giving birth to the spirit of communalism to the Swaraj party.

The Honourable the PRESIDENT: Please address the chair.

Mr. B. V. JADHAV: I was addressing the Chair alone, though I was looking the other way. I was not going to answer any particular individual or party; but all my remarks are addressed to the Chair.

Mr. B. G. PAHALAJANI: I rise to a point of order. Is communalism the subject before the Council or Budget, Sir?

The Honourable the PRESIDENT: As the subject of communalism is under discussion, I am myself particularly very careful as to the extent it can be discussed now. As however the Honourable the Finance Member has made certain allusions to that question the honourable member is in order in referring to it. But I may point out to him that his time is limited and most of it of course should better be applied to the discussion of the budget.

Mr. B. V. JADHAV: So much the better.....

Sir JOSEPH KAY: As a matter of grace may I ask the honourable member to only "refer" to the question as the Honourable the Finance Member has done, and not deliver an essay on it?

Mr. B. V. JADHAV: I object to these interruptions, because they take away my time.

I need not say anything more on communalism. (Hear, hear.) But I have to make one observation and that is that there ought to be equal opportunities for all; and if some concessions are not given to the backward communities, it is quite evident that in the race of life they are sure to be left far behind. On the race course horses are given handicaps. If handicapping is done away with there will be no races and no sport. The same ought to be the case in ordinary life also. The backward communities do require some help. I find that those very gentlemen who condemn communalism vehemently sometimes suffer to an acute degree from the same malady and are many a time unconscious victims to it.

It is stated that the deficit will be 50 lakhs this year and that Government have tried every avenue of retrenchment. In the year 1922 when I was new to this Council, we were overwhelmed with the assurance that Government had accepted a cut of about Rs. 60 lakhs and at the end of the year we were told that Government had exceeded their promise and made retrenchments exceeding the amount. We were quite overpowered by the statement and voted further taxation. But to our cost we found that the retrenchment that was pointed out to us was effected by cutting out new items only, and that there was no real retrenchment at all. This year too the same will be tried and the annual recurring expenditure will go on piling.

I know that Government are really earnest in their desire to cut down expenditure, and I would call upon the House to assist them in their desire. But to achieve real and substantial retrenchment we shall have to put aside our parochial claims and sense of comfort. I shall be a little more plain on this point. Honourable members know that the unit of administration is the district. Some years ago the number of

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districts were fixed. These districts have come into existence on account of certain accidental circumstances. Some districts are small and some districts are large, and some talukas are scattered with a sprinkling of villages. These districts were formed when the conditions were quite different. The railway was not in existence and the motor car was not even invented. Now, Sir, the times have greatly changed and travel has been greatly facilitated and quickened. Transportation facilities have cut down distances. To my mind the time has now come for reducing the number of districts. Each district has got a collector, a district judge, a superintendent of police, a forest officer and an excise officer and so many other officers.

If the number of districts be reduced the number of these highly paid officers will automatically be reduced and real retrenchment will be secured. The journey that took about a week in former days on horse-back, can now be accomplished in one day, and therefore it will not be too much to expect that the time has come to reduce the number of districts and ask the district officers to do their work within an extended area. In this way real economy can be achieved. I am led to believe that the Retrenchment Officer had some ideas on this point, but he was not quite sure that his proposals would be accepted. I know for certain that one is willing to have reduction in expenditure at the cost of some district other than his own. I know that certain small districts will object to be joined to adjoining districts, as the residents of the first may find some inconvenience to reach the new headquarters. This Council is at times very eager to create appointments. When the question of giving additional district courts to Nadiad and Jalgaon was brought before this Council many members jumped at the idea and voted large amounts. Some of the members were personally interested in these very courts, and their intercession with others carried the day. What I have to impress upon this House is that retrenchment ought to be the policy of every one of the elected members as well as of Government members and one should not mind the inconvenience that may be caused to him or to the people if retrenchment is effected in one's own district.

As for the Land Revenue, regret is always expressed that it is not expanding, and on that excuse opportunity is taken to revise the survey settlement and to levy revised rates from the agriculturists. Everybody knows that the lot of the agriculturist is not a happy one. During the last twenty years the number of peasant proprietors has been steadily diminishing. The peasant proprietors of the Deccan were formerly known for their steady work and steady habits and for the strength they gave to the nation. But now they are steeped in debt, and the ownership of the land they cultivate is fast passing out of their hands on to the monied classes and the once peasant proprietors are being reduced to the condition of labourers or tenants-at-will. The monied classes are not philanthropists and therefore the poor ryot is subjected to a system of rack-renting, and sometimes a rent equal to 10 times or even 20 times the

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assessment is exacted from the poor cultivator. Sir, this gives a very good excuse to the revenue authorities to enhance the assessment. Their line of argument is that if the tenant can afford to pay this exorbitant rent to the landlord, why should his neighbour grumble when a little addition of about a third is made to his land revenue? The reply is that in very few cases the landlord gets the full rent and when he gets it the unfortunate tenant has to make up that amount by outside labour. The district of Satara, Sir, from which I come, sends about a lakh of labourers to the Bombay docks and mills, and every year large sums of money are sent there to pay the assessment and the sowcars' dues. Something ought to be done to relieve the poor agriculturists, and it is quite unjustifiable to put more burden upon him.

As my time is up, I wish to defer my remarks on other departments to the time when those departments will be under consideration.

Mr. N. B. CHANDRACHUD (Poona City): Mr. President, I have not the good fortune of coming from the district to which the Honourable the Finance Member belongs; I have also not the honour of calling myself an intimate friend of his; I am also a Brahmin of Brahmins. So, I do not think I will be justified in making use of adjectives touching his personality or in talking about the disadvantages and advantages of communalism. I have come here in particular to work the reforms. We do not want to obstruct Government for obstruction's sake. I will, however, be failing in my duty if, on behalf of the new members, I do not congratulate the Finance Member on being the first Indian Member to handle this portfolio of finance.

I wish, however, I could have extended to him the same congratulations on the budget and on the manner in which it was presented. I am constrained to say that I am disappointed not only at the budget, but also at the way in which he has handled it. I will make myself clear. As advised by him I have gone carefully through the budget, perhaps more carefully than he expected; and as anticipated by him, I have become not exactly a wiser and perhaps a sadder man, but a sadder and perhaps a wiser man. I will only interchange the adjectives: I have become certainly a sadder and perhaps a wiser man. I have become wiser in this sense, that I am now more than ever convinced that it is the system that is at fault. It does not matter whether we have as Finance Member an Indian or Englishman, or as a matter of that, a Scotchman or Irishman; it is the system that is at fault, and so long as the system is there it matters very little whether the portfolio is in the hands of an Indian, Englishman, Scotchman or Irishman. It is the system that is at fault, and the Finance Member, with all his best motives—I know he is actuated with the best of motives—can do very little. I am also a sadder man; sadder in this sense, that it has fallen to the lot of my countryman, an Indian, to present a deficit budget in such a pathetic way—pathetic in this sense, that he has stated that the root cause of all this is the inequitable Meston settlement. (Moulvi Rafiuddin Ahmad: "Iniquitous"). (The Honourable Sir Chumilal

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Mehta : You are quite right : it is "inequitable".) Sir, I am between two cross fires.

The Honourable the PRESIDENT : The honourable member will use the word he chooses and go on.

Mr. N. B. CHANDRACHUD : The Honourable the Finance Member says that the reason for the deficit budget is the inequitable Meston Settlement and he adds that "we are making a strong representation to the Government of India and we are awaiting the result with confidence with the hope of justice for our cause." I am really surprised that my honourable friend still believes in the word "Justice." Is there anything as justice in this world ? I say "no." He says that the Settlement is inequitable. My simple question to him is "Why do you form the part and parcel of this machinery, which is the cause of the inequitable Settlement ? Why do you stick to this machinery, when you know that the Settlement is inequitable ? Is it not better for you to give up that machinery ?"

Now, Sir, coming to the actual budget, what do we find ? Many honourable members have already complained, and I believe not without reasons, that the copies of the Budget are sent to them very late. Now, Sir, under Rule 11 (1) of the Standing Orders, the copy of the budget ought to be despatched to the members fourteen days before the date fixed for the grants. I got my copy on the 11th. So, in the letter of "Law," the Government is perfectly right in forwarding the copy and we have no ground for complaint. The Finance Secretary, in reply to the complaint made by the honourable members, says "we have to incorporate the urgent matter in the Budget." I say all right, you do incorporate it. But supposing you send the copy earlier to members, what do you lose thereby ? If we get the copies earlier, we will be concentrating our energy on the points which we want to argue in the Council. So, I think nothing will be lost, if the copies are sent earlier. Personally, I do not make much grievance of this fact, because, in my opinion, two weeks are more than sufficient to go through the budget. If the honourable members cannot carefully study the budget in two weeks, it will not be possible for them to study it in two months. Now, Sir, I make the grievance, not of the deficit budget, against the Honourable the Finance Member, but I make the grievance of the half-hearted manner in which he has presented it to the Council. Now, the budget speech, or the pamphlet in which that speech is, covers about 23 pages. On the first two pages, what do we find ? We find "advice," whether it is justified or unjustified, as one honourable member called it "grand-fatherly." Whether it is grand-fatherly or grand-motherly, it does not matter much to us. Ten or eleven pages are devoted to comparisons—comparisons between revenue and expenditure, and the expenditure and revenue compared with budget of other provinces. My opinion is that we should never try to enter into comparisons. Comparisons are always fallacious, and in some cases they are dangerous. What concern do we have if people in Australia, Austria or even in Bengal are paid the salaries of Rs. 3 or Rs. 4 ? How does it affect us ? We must only try to put our own house

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in order. What I want to point out to this honourable House is that the actual discussion of the budget is confined only to seven pages out of 23. As regards the budget, we must also note one fact that the copies of the budget are not sent to every nook and corner of the presidency, but the millions of people in the presidency eagerly watch the budget. But as they do not get the copies of the budget, they concentrate their attention on the speech which the Finance Member delivers. But what do we find in that speech? We find that he has done like a clever schoolmaster. I think you all know what a clever schoolmaster does. When there are any difficult problems to be solved, he takes one or two students with him and explains to them one or two problems and tells them "well, you can follow the rest". That is exactly what the Honourable the Finance Member has done. There are about 40 items on the credit side and 50 items on the debit side. But has he shown us that such and such item is for this purpose or that purpose? No. He has only dealt with one or two items and told us the most fundamental truth. That truth is that 75 per cent. revenue comes from Excise, Land and Stamps. No Finance Member drawing a salary of Rs. 6,000 should tell us that truth.

Now, Sir, with regard to the actual budget, what do we find? The Honourable the Finance Member tells us that the total revenue this year is 15 crores and 7 lakhs and the anticipated expenditure is 15 crores and 57 lakhs and therefore, there is bound to be a deficit of 50 lakhs. On the Bank account we overdraw to the extent of 54 lakhs and our deficit is 104 lakhs. Now, what does he say about this? If our deficit is 104 lakhs, what will be the effect of the deficit? The effect will be, he says, that our ordinary balance will be limited to 108 lakhs next year. This will happen if you take all things as expected. But will this happen, I ask? Will the anticipation of the Honourable the Finance Member be realised? In my humble opinion, it will not be realised and my reasons for this are these. Now let us look at the actual figures. Last year we got the revenue about 40 lakhs less than the budgetted revenue. Our expenditure last year was almost the same. This year the same thing may not happen and perhaps the anticipated expenditure will exceed the amount. Last year was a normal year, but this year, I am afraid, is not so. I also expect that the anticipated land revenue will not be coming. I do not know whether the Honourable the Finance Member has come across a leaflet distributed by the indefatigable worker, my friend Mr. Amritlal. From that leaflet you will know that there is a dire distress in the Gujarat. He has also fixed some samples of grass which the people in Gujarat eat. Had it not been for the assurance of the honourable member Mr. Amritlal, I would have called it sand and not grass. Mr. Kaujalgi has also distributed a leaflet on the same subject. I am afraid, therefore, that the anticipated income from the land revenue will not be forthcoming and our expenditure also will, perhaps, exceed. And what will be the result? The result will be that we will have to draw more and more on the balance. In this way, we shall not be able to improve our finances next year also. The state of finances is that the debt will

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be 47 crores, revenue 15 crores and expenditure 16 crores. If a client comes to me as a pleader and tells me "Sir, my state of affairs is this. My debt amounts to 50 thousands—I shall take the figures by thousands and not by crores—my income to 15 thousands, and my expenditure to 16 thousands", I would at once give him my advice to apply for insolvency and wind up his affairs. But this I dare not say to Government, because it is a mighty Government. Government think that their resources are unlimited. Government flatter themselves into the belief that they can raise money by further taxation. But I warn them with all the humility and emphasis that I can command that they must not flatter themselves into believing in the soundness of that theory. We have got a strong mandate and a strict mandate from the constituencies to oppose all proposals of taxation and people will not tolerate for a single moment any further idea of taxation. So, what will be the state of affairs. The expenditure will be increasing, the revenue will be decreasing, and the debt will be accumulating, and Government cannot wind up their shop. We cannot ask Government to wind up their shop. Then, what is the remedy? In my opinion the remedy is twofold. In the first place, they must curtail their programme and in the second place they must effect retrenchment. Curtail their programme in this way. Now, what I would like to urge upon Government is that their programme is always too spectacular, too ambitious. They are entirely out of touch with the public and I will make myself clear with a few illustrations. Now, take this reclamation or development scheme. I have not studied carefully that question, so I am not in a position to offer fully considered criticism just at present. But the ostensible object of that scheme was to benefit the middle and poor classes, to give them better houses, better tenements. All right; that was a very laudable object. Now, we have spent, rather wasted, crores of rupees on that. But did you inquire why these poor and middle classes migrate to Bombay? I can assure you, Sir, that we Indians, and especially the poor and middle classes and the labouring classes, are very conservative, and as long as an agriculturist has sufficient food in his village he would not migrate to Bombay. Have you ever spent a single thought over this thing? No. Another illustration is of the activities of the Public Works Department. Now, in Poona our courts were in the Shanwar Wada. It was a decent building. It was sufficient to accommodate all. But the Shanwar Wada was given in the charge of the Archaeological Department and they have erected a huge massive structure for courts at a cost of about 20 lakhs of rupees. I am sorry I must wind up my shop now; my time is up. So, this massive structure has been constructed. They never consulted any one. This is only spectacular. So also is the activities of the agricultural show. It was only a spectacular activity. So also in connection with works of irrigation the idea is "This dam is first in India, this is second in the world". Have you ever bestowed your thought on the village irrigation? Before the advent of the British rule every village had an irrigation work, had its own irrigation. Now, after a century of British rule, they have appointed a Superintending

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Engineer on special duty for this purpose. I am sorry I have no time to go into details. After pocketing a lakh of rupees in his pocket, this officer says "I have done the work only of foundation", after pocketing the poor agriculturists' money in matters of irrigation. So, what I submit is that these are only spectacular. You better confine yourselves to minor works of irrigation. Be more in touch with the people; consult the people as to their requirements and needs, and then act accordingly.

Now, if you go through this Sukkur Barrage or Lloyd Barrage Scheme you will be surprised to find lakhs of rupees being spent on bungalows for officers, 9 lakhs, 6 lakhs, and so on. These officers must have not only fat salaries, but they must have luxurious bungalows! I do not know whether any other government in the world does like this. Therefore, retrenchment should begin at the top and I must appeal to the Ministers that example is better than precept.

Dr. M. K. DIXIT (Surat City): Sir, I am making some observations on the budget speech of the Honourable the Finance Member. In the first place, I offer him my sincere congratulations on his being the first Indian Member to have been entrusted with this responsible finance portfolio. It is considered, Sir, a unique and unprecedented honour and I am glad to see that a countryman of mine, Sir Chunilal Mehta, is the first to receive that unique honour. I feel very much delighted with that incident. I feel still more delighted not only because he is my countryman, but he comes from the same place to which I belong, that is, Surat. While I congratulate him, I also offer my congratulations to Government for having deviated from their ordinary course and having entrusted this important finance portfolio to a person who does not belong to their fold. It shows their desire to entrust such important task, responsible work, to Indian members if found capable.

Sir, these are hard times. We hear of trade depression; we hear of unequal and irregular rains and consequent failure, partial failure, of crops; we hear of locust pest also coming and destroying what little has appeared as crops in certain tracts. Under these conditions, the task of the Finance Member is bound to be difficult. He is the first Indian Minister and has to face such difficulties in the very first year of his new career of responsibility while presenting a budget which is a deficit budget. I regret very much that he has had a very inauspicious beginning.

We have been told under these conditions that we must criticise him and his product, namely, the budget, in a very sympathetic spirit. Certainly, we all must offer him our sincere sympathy in this difficult position at such a time. When he presents this deficit budget, we very well know that he is not to blame. It requires very extraordinary strength of mind to deviate from the ordinary circumstances in which one is placed. There are certain statutory obligations, certain regulations, certain rules, certain secretariat conventions which one has got to observe in the preparation of his budget, and it requires certainly a man of extraordinary courage and outstanding ability to set at nought any of those conventions

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or rules and regulations. If our Finance Member had that extraordinary courage, he could have presented a budget which would have been quite different from what we have in our hands to-day. Just to give an instance, Sir, which was quoted by our honourable friend from Ahmedabad, the Honourable the Finance Member could easily have deleted from this budget the provision of Rs. 46,000 for 11 recruits to the Indian Civil Service. Surely, the Government of India, or for the matter of that the Secretary of State would not have dethroned him for the deletion of this item, from the high position in which he has been placed by the Government of Bombay. Of course this need only be done under the present unusual circumstances when sufficient balance is not available in the budget.

Another instance where he could have been bold enough, is the one that he has stated in his budget speech, paragraph 15, page 8. He helplessly weeps over the loss which the Bombay Government have to suffer on account of the Government of India refusing to give him 11 lakhs and odd. He says :

"We have lost under the head of Miscellaneous Adjustments between Central and Provincial Governments a sum of 11½ lakhs which we expected to get from the Government of India for certain buildings in Political Agencies which have now been transferred to the Central Government. The Government of India have refused to give us this credit."

I am sure, Sir, that if this claim had been boldly pressed, the Government of India would not have refused what is due to us. If we believe that these buildings belong to the Bombay Government, that the Bombay exchequer has spent money on the construction of these buildings, and if by a certain Act of the Government of India they take away these buildings from our possession, and if we find that our claim is just, we must emphatically press our claim and demand that money from the Government of India, and if the Government of India are still obdurate, it would be perfectly constitutional to deduct that amount from the provincial contribution which they claim from us. Instead of doing that, the Honourable the Finance Member helplessly weeps over this loss.

Another instance of lack of courage is that of the Meston Settlement which has been talked over by so many honourable members of this House. I have been hearing about the inequity and injustice of this Meston Settlement on the floor of this House for the last four years; and even in this fourth year, the Honourable the Finance Member cannot urge our claim in a better or a more practical or a more potent form than mere recognition of our justification of approaching the Government of India for remedying this wrong. What should one have done if such a thing had happened between two individuals? Surely, the Honourable the Finance Member would rack his fertile brain and find out a method by which he could press on the Government of India our claims for a just revision of the Meston Settlement. My honourable friend from Kaira showed a method of sending round a circular not to pay any income-tax. I suppose he meant that the circular should be sent to the Government officials as the salaries are paid to them by the Government of

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Bombay and the deduction is also made by the Bombay Government. If the amount of income-tax which can be derived from the salaries of our officers engaged by the Bombay Government could be kept here and the Government of India be informed that we have got in our possession so much money derived from the income-tax and that we cannot part with it unless and until a just modification or revision of the Meston Settlement is made, I suppose much could be done. . . .

The Honourable Sir CHUNILAL MEHTA : The money does not come into our pockets at all.

Dr. M. K. DIXIT : All the same it is paid by the Bombay Government to the Government of India. That money certainly remains with the Bombay Government treasury. If that is not possible, a circular not to pay income-tax may be sent to the merchants who have got to pay their money. I am sure that money remains in the Bombay Government treasury.

You can even go a little further than that : do not carry out the orders of the Government of India. It is perfectly constitutional, there is nothing unconstitutional in that, if that settlement is to be made just and fair.

I just want to touch upon one or two points to which my honourable friend, the Finance Member, has referred in his speech. I am sorry to note that the Honourable the Finance Member has chosen to speak rather unkindly of the policy of the Swaraj Party in his prefatory remarks. I had no intention of referring to this controversial point and I wish the Honourable the Finance Member had not alluded to this. In my opinion it is irrelevant to the subject ; I will not use any harsh word, but I will content myself by calling it an 'indiscretion' which could very well have been avoided. I am not here to defend the cause of the Swarajists. This is not the occasion to explain the policy of the Swaraj party either, but it does appear that the Honourable the Finance Member does not seem to have grasped the policy of the Swaraj party to which I once had the honour to belong. The Swarajists are there to take care of themselves, and I know they are strong enough and quite capable enough to look after themselves. But the one thing that I find is that the Honourable the Finance Member while referring to the Swaraj party has attempted to lop off Bombay from the rest of the country as a whole, when he alludes in his speech to the "robust common sense and the practical genius of all the communities of this presidency". Our presidency has often been flattered in this fashion by certain highly placed Government officials probably with a view to separate Bombay from the rest of the country. It is certainly a clever move. Flattery is pleasant to the ears but it must always be taken with caution and suspicion. Some of the Bombay people may well boast of the "robust common sense and the practical genius of the people of this Presidency" but I ask the honourable House, is it ever possible for this presidency as has been done by Bengal, to return to the Bombay Council a man like Subhash Chandra Bose, or to the Assembly a member like Satish Chandra

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Mitra, while these two gentlemen were rotting in a jail in Burma at the time of election? I do not think so. It may be due to our "robust common sense and practical genius," but all the same we should beware of flattering words of the kind used by the Honourable the Finance Member in his speech. I do not wish that Bombay should be provincial Bombay; I want Bombay to be a national Bombay. Bombay should rise or fall with the rest of the country, and Bombay should rise as a national Bombay and not as a provincial Bombay.

I further regret very much the sneering tone in which a reference has been made by the Honourable the Finance Member to the policy of the Swaraj party. That policy has been ridiculed and condemned, but let him remember that the Responsivists of to-day were the Swarajists of yesterday, and there is not much change in the angle of vision of the two parties, except in a very insignificant way.

Another indiscretion that has been committed by the Honourable the Finance Member is that he has stated that a persistence in unreasoned and continuous opposition must detract from the worth of any party, however eminent its members may be, and must indirectly tend to bring in the evils of communalism and time-serving expediency. I personally do not subscribe to that view, but for the sake of argument let us take it to be correct. May I ask the House, Sir, if a persistence in unreasoned and continuous opposition was indirectly responsible for encouraging communalism, who was directly responsible for this spirit of communalism?

The Honourable the PRESIDENT: The honourable member has hardly a minute left.

Dr. M. K. DIXIT: I say, Sir, that it is the "divide and rule" policy of the Government that is responsible for the spirit of communalism, and the spirit of communalism has come in on account of communal representation. It has permeated to the lower strata also, namely, local self-government, that is municipalities and local boards. It is this mischievous policy of Government that has accelerated these communal feelings. But I assure the House that every right-minded Indian believes that political emancipation of the country is only possible when the spirit of communalism is dead. My time is up, hence I resume my seat.

Mr. V. N. JOG (Dharwar District): Sir, being an associate in this Council for the last three years, I offer my congratulations to the Honourable the Finance Member upon his being the first Indian Finance Member in a major province. I am also alive to the difficult situation in which he has been placed by the most injudicious and imprudent way in which the finances of this province were handled during the past few years. I do not want to touch the irrelevant matters which have been introduced in his speech, of which mention has been made by honourable members who preceded me; I will only address myself to the subject before us, namely, the budget. I am not much enamoured of the constitution, but as practical men we have to take the situation as it is. Therefore, as long as the constitution is there—which I hope will be shortly

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changed or a good deal remedied—what I have to take into consideration is the question how we are to live within our means. I think that must be the first object which every Finance Member has to take into consideration. The object is quite simple and quite plain. It is to adjust our expenditure to our revenue. In this view of the matter, I do not want to touch the long-standing complaint of this Province with regard to the Meston award, but we have to face the situation boldly and to embark upon a policy which would be quite permanent and which would conduce to the material and moral elevation of the masses whose interests are committed to our care. In this connection, I have to suggest, as I have already said, that we might fight with the Government of India with regard to the injustice of this award, but that expedient may or may not be successful. Placed as we are along with the other provinces, every province is complaining of the various contributions which have been laid against them. In that struggle we may or may not be successful. The Honourable the Finance Member when considering the deficit of Rs. 50 lakhs, is relying upon the remission of these Rs. 56 lakhs which we are paying every year, but that would not be the solution of the difficulties in which we are placed. If, fortunately, we get back those Rs. 56 lakhs, there are the nation-building departments crying for development, and that money might be utilised for the advance of those departments. But if you do not get a remission of this contribution, what is the remedy to balance our expenditure with the revenue. I do not think that the remedy which has been suggested by the Honourable the Finance Member, namely, to cut down the contribution of Rs. 30 lakhs to the Famine Insurance Fund, is the right policy. No doubt, with regard to that fund, we might be reaching the limit which has been fixed by the Devolution Rules. But I think that both these remedies are not completely within our control. They require the sanction of the agency outside this province. Even then it has to be considered whether this 30 lakhs of rupees which we wish to reduce from the Famine Insurance Fund could be used to lessen the burden of general taxes or the general expenditure. It would be a very doubtful policy to use this thirty lakhs in the way in which the Honourable the Finance Member wants to do. This amount must be reserved always towards the objects for which it was meant. Our presidency, it is well known, is liable to famine frequently. That danger is not within our control. Most of the parts of this presidency, particularly this year, have been affected by famine. Practically the whole presidency is crying on account of that. So, it is not useful to reduce this fund by 30 lakhs. Putting aside these two remedies which are only temporary expedients, we shall have to find out some permanent solution for this difficulty. I submit that the only remedy which would suggest itself to any sound financier is to curtail his expenditure permanently so that he might live within his means. That is the remedy which has to be applied. No doubt, it would be very difficult to apply it. It will displease so many persons, but the Honourable the Finance Member shall have to take courage in both hands and see that the remedy is applied. In this connection what we have to do is to curtail the

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expenditure. No doubt there will be complaints from various departments that their salaries are cut and posts have been reduced : there will be a general cry. But the Honourable Member will have to take a long and permanent view of things and do it. No doubt it will take time also. The Honourable the Finance Member has told us that he has already appointed a retrenchment officer and the preliminary work is going on. But before the retrenchment officer makes his suggestion, the remedy is quite simple. We have to see from the figures that are before us of the budgets of various years whether we cannot make any suggestion in this House as to the nature of the cut that has to be made. Several suggestions have been made already by the speakers who preceded me. In this connection I wish to compare the figures of 1921-22 with those of 1922-23. We find that in the year 1921-22 our revenue was Rs. 12,60,00,000, and the expenditure was Rs. 14,28,00,000. That is exactly the situation in which we find ourselves to-day. No doubt during that year when the Council wanted to cut down the expenditure Government came forward and accepted a cut of 60 lakhs. As a counter offer the Council readily granted more supplies in the form of court-fees, stamps and entertainment tax. The result was that in the year 1922-23 the revenue rose to 13 crores 55 lakhs, nearly by one crore. In the meantime the expenses were cut down to 12 crores 55 lakhs. In the year 1922-23 we could not cut down several items and bring our expenditure within 12½ crores. This remedy the Honourable the Finance Member says was temporary, and could no longer be continued. The reason given by him is that we shall be deprived of the amenities and services to which we are accustomed. I put it to the Honourable the Finance Member whether we are better off since 1922-23. Are we having increased amenities since then ? I am sure we will not be worse off even if the same reduction is undertaken now. But, Sir, the picture of the succeeding three years is very disappointing. If the then Finance Member had set on this policy of reduction firmly, and had not given a soft corner to the services, it would have been far better. But the downward tendency began in the year 1923-24, and at the end of 1925-26 again we come to where we were in the year 1921-22. This can be seen from the statement on page 34. You will find on page 34 that in the year 1922-23 we had piled up a surplus of one crore, which has evaporated by the year 1925-26. We had once a surplus of five crores including the Famine Insurance Fund. But what we now find in the year 1925-26 is that all the surplus has gone—but there is now a surplus of 1,08 lakhs which is very small. My question is that even if we vote for the stamp tax, and if the same state of things were to recur every year, where we will be. That is the question to which we have to address ourselves. There is no use depending upon temporary expediency. The only effective remedy is to retrench. In this connection it may be asked whether any constructive proposals have been made to go into the question of retrenchment in the various departments.

I would take up only one department, Excise. You will find, Sir, that the expenses on this department have been increasing since the

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year 1922-23 without any useful purpose. That can be seen from the income of the department and expenditure for the last three or four years. You will see on page 2 of the Blue Book in the year 1922-23 when the duty was increased, we had an income of Rs. 4,22,00,000, and the income to-day is only 4 crores. Take the last year. The income was Rs. 4,27,00,000. There is only a small margin of rise or fall. But let us look at the expenditure. The expenditure in 1922-23 was Rs. 32·8 lakhs. You will see that every year it is going on rising. The next year it was 35 lakhs; in 1924-25 it was 40 lakhs; in 1925-26 accounts it was 54 lakhs; and in the revised estimates of this year it is 62 lakhs. So, there is a rise in expenditure of nearly 30 lakhs. And what is the rise in income? It is suggested that in order to check loss in excise revenue more staff is necessary, more inspectors and more superintendents. While we have increased the expenditure by 20 to 25 lakhs, revenue has not increased by a single pie. Is there not room for curtailment of expenditure? We can very safely curtail the expenditure on this department by at least 15 or 20 lakhs. What is the reason given for this increase in expenditure? The reason is that there might be illicit distillation and smuggling. But what have we gained by stopping smuggling and illicit distillation? Have we got anything during the last three or four years? Every department is being over-manned, and this department deserves a severe cut. I do not say that there is no illicit distillation and smuggling; there might be. But I say that the amount that we spend on that is not commensurate with what we are getting. We are not getting anything from the staff which we have increased. And I take it that increase in expenditure must be due to the increase in staff. So, we can very safely reduce the staff in this department. With my short experience with regard to this department, I submit, Sir, that there are too many inspectors, sub-inspectors and superintendents. Their charges are very small, and they have practically nothing to do. Once or twice, they go to the shop, examine certain accounts, initial and go back. That is the duty they have been doing, and we can very safely reduce the staff. They cannot say that it is on account of the policy of encouraging temperance that this income is decreasing. They cannot say that, because we find that the income which has fallen here and there has not fallen on account of the policy of prohibition or temperance which is being followed; it has no reference to that. At page 43 of the Blue Book we can see that the decrease in revenue has nothing to do with the policy which is our goal.

The Honourable the PRESIDENT: The honourable member's time is up; he has just a minute more.

Mr. V. N. JOG: Similarly, Sir, I have to submit that a bolder policy must be adopted with a firm mind and persisted in. I submit, Sir, that more attention must be paid to the nation-building departments. Unless the morals of the people are raised and measures taken which would strengthen the capacity of the people to bear taxes, any temporary measures like this will be of no use.

After recess

MR. G. E. CHATFIELD : Sir, I rise to clear, so far as I can, an impression of this House that famine is general in the presidency. I think the last speaker mentioned that the whole of the presidency was crying out on account of famine. I do not think that any other honourable member of this House has made that statement. But there appears to be the impression on the mind of the last speaker. So far as the Northern Division is concerned, it is not true that there is famine there. It is far from truth. It is quite true that there is distress in certain portions of the Northern Division. But those portions are strictly limited. I admit, Sir, that there is distress, on account of various causes, in the district of Ahmedabad. It is only a portion of the district of Ahmedabad which is seriously affected: I may say that there are only three talukas which are affected, namely, Viramgaum taluka, Dholka and Dhandhuka.

Now, the first complaint as regards distress was made in the beginning of January by the honourable member for Ahmedabad, Mr. Swaminarayan. That assertion dealt with the taluka of Viramgaum. It is quite true that a great deal of damage has been done to the crops; they are very seriously damaged by locusts. Although we have made careful enquiries, we have not been able to verify the statement of the honourable member that famine conditions exist in the Viramgaum taluka.

I next turn to the taluka of Dholka which has suffered no doubt from excessive rains and frosts, but I may say definitely that no famine conditions exist there. As a matter of fact I asked the Collector to ask the President of the District Local Board to open some work in those three talukas. The president of the district local board stated that the district local board was not in a position to do so, and that he would ask the taluka local boards to do it. The president of the Dholka taluka local board definitely stated that there was no distress in Dholka which required any work of this kind, and if any work of that kind was opened, they would not get labour. If he says so, I think we must accept it. Further, I understand in the last month a meeting was held in the Dholka taluka by the Dholka Taluka Sabha. At that meeting Mr. Saklatwalla was invited and I understand he made a lengthy speech putting forth the pure Gospel of Communism, after which he left the meeting. I think I am right in saying that Mr. Vallabhbhai Patel took the chair of that meeting which was attended by a large number of agriculturists and that he called on them to ventilate their grievances. I speak subject to correction, but it is reported to me he rebuked those who stated their grievances on account of their frivolous nature.

I now come to Dhandhuka taluka. We have written to the president of the Dhandhuka taluka local board, who is taking a keen interest in this matter. I understand he has travelled throughout the affected parts of the taluka before giving his opinion as to the amount of distress that exists in this taluka. I confess that having known Dhandhuka for about ten years, I am not absolutely convinced by the statements which appeared in the Press.

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Now the honourable member for Ahmedabad—the youngest member of this honourable House—

Mr. A. D. SHETH : I withdraw my claim of being the youngest : I am one of the youngest.

Mr. G. E. CHATFIELD : At any rate, I believe that on his authority there have been articles appearing sometimes in the “Times of India” and sometimes in the “Bombay Chronicle” giving an account of the distress which exists in Dhandhuka taluka. Well, I was very anxious, extremely anxious, on reading those reports, and asked the Collector to have them very carefully looked into. The taluka of Dhandhuka is a very peculiar tract. There is a barren tract in the eastern portion of the taluka. It is an unfortunate tract : There is want of water as a rule, but this year it has been pretty well washed out. Much damage has been done to the crops and all sorts of calamities have been accumulated upon this portion. But I am not satisfied that there is a great demand for employment. Just at present it is the slack season and the demand may have temporarily increased. I have had a long experience of it both in prosperous times and in bad times, and I know that the population in this barren tract is so poor that almost in any winter you could get collected a great many circumstances which would seem to point to great distress. One allegation has been made that the people there in Dhandhuka are eating wild millet. It is perfectly true ; I thoroughly believe that they are. But I would also ask the honourable member from Ahmedabad whether it is not true that the people do eat this wild millet every year. This is a well-known fact. My information is that even in the best of years this is an article of food.

Mr. A. D. SHETH : Only very poor people eat it.

Mr. G. E. CHATFIELD : I admit it is the poor people who eat it, and no doubt in a year like the present, when the crop is bad and when there is a certain amount of distress, that percentage of the population must be very much increased. But my point is that when you say that people in Dhandhuka are eating cattle food, while this may go to show the extreme poverty of the people, I do not consider it to be proof positive that famine conditions exist in Dhandhuka. That may or may not be the case. Only a test can prove it ; I am quite open to conviction, and for that reason I wrote to the honourable member and told him that I would instruct the Collector to ask the district local board to open some test works and then after the test works were fairly run we could have a fair idea of the demand for labour in that tract in Dhandhuka. Well, on the 3rd of this month two works were started in this tract. But the manner in which those works were run was such that they do not carry conviction to my mind. I do not think it was really a fair test. That was pointed out at the very outset by the president of the district local board, who wrote to the honourable member and pointed out that if you pay wages by piece-work, it is no test of the severity of the famine conditions there existing, that he ought to fix a proper wage, a daily wage,

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and then see what number of people he would get on the works. Well, the honourable member did not take that advice....

Mr. A. D. SHETH : It was too late, Sir. Otherwise I would have taken the advice.

Mr. G. E. CHATFIELD : It is a matter of opinion whether that is a fair way of testing the severity of distress or whether it is not. I do not wish to insinuate for a moment that the honourable gentleman was not sincere in his belief that that would be a fair test. But that is a belief which is not shared either by the president of the district local board or by any official. And, therefore, I would ask the honourable member to start some more works on our terms, that is, on the daily wage.

Mr. A. D. SHETH : Eight annas wage, Sir ; I give them only seven annas.

Mr. G. E. CHATFIELD : These are matters of detail, Sir, which I do not think can be discussed here. But if works are started on terms which we consider a fair test of the actual distress existing in Dhandhuka, then I am certain nobody would be readier than the Collector—and myself, though I am merely an humble post office—to come forward and to advise Government to take the necessary steps to relieve the distress in Dhandhuka. I only want to correct the impression on the mind of the House, if such impression exists, that the conditions existing in Dhandhuka are in any way general. That is not so. The Bhal tract runs into Dholka talu'ka also, and although the conditions in the south-west very much resemble those of the barren tract in eastern portion of Dhandhuka, yet it appears that while in Dhandhuka there has been considerable distress, there is no such distress in the neighbouring taluka. Therefore, I wish to point out that it is a very narrow local area which is affected. I do not think that the honourable member would maintain that distress or anything like distress exists in the whole of the taluka. It is in the barren Bhal tract, which forms about a third of the taluka. It is a very limited area, about 30 or 40 villages, in Dhandhuka taluka. It is desirable to correct the impression that because some people in Dhandhuka are living upon this wild grass, which every year forms part of the food of the poor population, therefore the whole of the Northern Division is crying out for help in their distress. That is not so. We have not realised the hopes which we had at one time in regard to the crops. But still on the whole,—I speak with some trepidation because locusts are still appearing and may yet do more damage to the crops—the districts in the Northern Division cannot be said to be suffering in general from any measure of distress.

Rao Bahadur S. N. ANGADI (Belgaum District) : Mr. President, I very much regret to say that the budget presented to us is extremely disappointing. We thought it would be better than last year, but we find we are face to face with a very large deficit, namely, Rs. 50 lakhs. In other words, if we were spending as much as last year, we would have been required to meet a deficit of a crore. So, there is no doubt that the finances of the presidency have been reduced to a very miserable

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plight. It is true there are various reasons for their miserable plight, and the most important of these reasons is, as has been pointed out by several honourable members, the Meston Settlement. And in that connection I must acknowledge the efforts which Government have made in the past to get this iniquitous Settlement revised, altered or modified. But it is no use stopping there. Government must work very hard and must see to it that this most unjust and most unfair settlement, which has been responsible for hampering the progress of the presidency, is done away with, as immediately as possible, because I am afraid that unless there is a revision or modification of this Meston Settlement, it is impossible to improve the finances of the presidency. For this purpose I think the efforts of Government should also be supplemented by those of the honourable House. What I mean is this, if we went on levying fresh taxes after fresh taxes, the Government of India might say : "After all, the Legislative Council is very good and it is only the Government which has been insisting upon the revision of the Meston Settlement. Whenever there are huge deficits the Legislative Council would meet them by imposing fresh taxes and therefore there is no reason why we should go in for a revision or modification of the Meston Settlement." This is an argument which might very easily be conceived and in all probability we shall not be surprised if the Government of India put that argument to the Government of Bombay. Therefore, my suggestion is that the Government of Bombay should for some time to come not come forward with any fresh proposals for taxation. That would appear to be a very good proof of their earnestness to get the Meston Settlement altered. I also think that the Government of Bombay would then be able to make out a very much stronger case than they would otherwise be able to do.

We have been told by the Government that stringent economy has been exercised by them and that every possible effort has been made to keep down expenditure and that yet they are faced with a deficit. I put it to the Honourable the Finance Member is it not true that the honourable House has been making suggestion after suggestion, and that some of the suggestions are discarded as impracticable, and others are not carried out with the result that there is no knowing when we may cease to have a deficit budget ? Therefore I say that we are face to face with a very disappointing budget.

We are told by the Honourable the Finance Member that Government have been spending more money upon the nation-building departments and actually the expenditure on the nation-building departments has been increased by about 45 lakhs. It is true, I do not deny that fact. After all, what is the increase ? We have been told that on education the increase has been about 35 lakhs. I say there is bound to be an increase on educational expenditure and 35 lakhs is not at all a big amount when we take the whole presidency into account and the appalling illiteracy prevailing therein. I say unless the Government is prepared to starve nation-building departments they could not afford to cut down any expenditure on those departments. It is their bounden duty to spend

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more and more money over these nation-building departments if they are really earnest about imparting education to the people of this presidency.

If we look to the budget we find that last year Government provided a little over 8 lakhs for compulsory and primary education and this year we find that they have provided a little over 9 lakhs, or an increase of one lakh. A little arithmetical calculation will show that this increase if worked out comes to about four rupees per year per village. If that is the money with which we are seriously to consider the question of carrying out the provisions of the Compulsory Primary Education Act, if with this meagre amount we think that we should be able to give effect to the Primary and Compulsory Education Act, I think we are expecting something which could never be realised. It is no use saying that there is an enormous increase in money allotted to nation-building departments. We actually find that on public health Government is going to spend about five lakhs less than last year and where we were spending about 29 lakhs last year, this time Government is going to spend something like 24½ lakhs. What does that show? Does it show that Government are very solicitous about the preservation of the health of the people? Will that paltry amount suffice if Government is really very earnest to preserve the health of the people? I think that that item should be not merely doubled but even trebled. Last year I think we were told that the Honourable the Education Minister was going to put forward before the House a scheme for the extension of medical relief on similar lines to those adopted by the Madras presidency. Of course if this is the meagre provision made under the head Public Health, we do not know what medical relief will be possible. In other words it means that we are not as solicitous about the health of the people as we ought to be. We must frankly confess to it.

Even the "Times of India" which is so very well known for its sober, moderate and reasoned views, says in its leading article to-day that if Government are really very serious about cutting down expenditure, retrenchment must begin from the top and not from the bottom. That paper has made a few very sagacious suggestions which if carried out would result in a good bit of saving. The annual migrations to Mahableshwar should stop, and I think the editor is perfectly right in advising the cutting out of these yearly migrations to that hill station. The retrenchment policy so far pursued by the Government of Bombay has always aimed at cutting down the throats of the poor peons and other subordinate and menial staff. It may be true that owing to the increase in the cost of living, we are giving these servants a little more than what they got before, but after all they are not getting fat salaries and there is no reason why we should go in that direction for effecting retrenchment. Therefore it is absolutely necessary that we should not make any cut there. The only cut possible is from the top. I think it will be a very desirable thing if the Honourable Ministers come forward announcing that they would like to get a little less than what they are getting now. They know that the budget is very disappointing and they will also meet

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the wishes of this honourable House for a real cutting down of expenditure and in that way they will be doing some service to the people, and also setting a personal example. It is not too much to expect this meagre sacrifice from the Honourable Ministers. What an excellent example that would be for others to follow? Even the Bengal Government has contented itself with only two Ministers. In pre-reform days the Government of this Presidency was carried on by a cabinet of two, but now we have seven members of Government. This is a very good direction in which a substantial cut is quite possible.

Another suggestion I would like to make is that Government, when they have to embark on big schemes like the Back Bay Development and Bombay Suburban Schemes, ought to be very careful because we find that some of these big schemes have landed the presidency into very heavy losses. I do not think that any honourable member will agree that it is part of the duty of the Government to indulge in speculation. If that is going to happen, I think the only thing I would say to the Government is that they ought to be more careful hereafter and take their hands off speculations. It is no use putting the presidency to a loss of 3 to 4 crores and then coming forward and saying that we must be prepared for fresh taxation. The problem of the presidency is not going to be solved in that way. There are better ways, and Government ought to see that if we go on at this speed, there is no knowing where we shall stop. Therefore, I think that Government must be very careful and must apply the shears to every department as carefully as possible and effect savings. It is not by retrenching a few peons here and a few chaprasis there that we will be able to do any good to the presidency. I do not think those menial servants of Government are being paid even a living wage.

Now, if we take the Agricultural Department, we find the same story. We all know that improvement in that direction is very desirable. It is wanted everywhere, but we find that we are going to spend for next year a little less than last year on this department. That again shows that Government are very parsimonious even in that direction. Now, I do not personally hold the view that the Agricultural Department has been able to do a lot to the people, and there are good reasons for it, because the benefits which we have so far derived from this department, I think, have remained confined to the walls of demonstration farms. There is no proper educative propaganda. The propaganda does not reach the villages. Of course, if we ask the Agricultural Department what they have done for the people, they would deliver an eloquent sermon on the benefits of their department. They will say: "We have introduced sulphate of ammonia, we have improved the cotton seed, and we have introduced graft cultivation." These words would exhaust the catalogue of benefits, and this is how the Agricultural Department would justify its existence. But the main fault of the Agricultural Department is that propaganda has never been carried to the doors of the villagers, and unless propaganda is carried to the doors of the villagers, I do not think we shall be able to make any appreciable progress in that direction. I know that Government are helping the

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development of associations, but even there they have imposed this condition that unless the people have collected Rs. 5,000 or so—I do not know the exact figure—they cannot finance the associations at all, and that even after the people have collected Rs. 5,000 they would finance them only to the extent of Rs. 1,000, and not more than that. This is also a very meagre amount, and I do not think it would suffice to carry on the educative propaganda which is so very necessary for the progress of the presidency. In this direction, I think Government ought to come forward with more generous grants than they are doing now, and unless that is done, I do not think that we shall be able to make any appreciable progress in agriculture.

The greatest need of the presidency, as all honourable members have repeatedly said, is technical education, but we find that technical education has been completely neglected. We are aware that graduates have become cheaper than motor drivers. When we are face to face with the very vast problem of unemployment, I think Government would be remiss in their duty if they did not provide for this aspect of education. Unless technical education is taken up seriously, I do not know what is going to be the fate of these graduates who are manufactured year after year in their thousands and thousands.

Now, coming to speak about the budget, particularly with reference to the Karnatak, I would ask that Honourable the Finance Member just to kindly pass his eye over pages 57 and 58 of the Blue Book.

The Honourable the PRESIDENT: The honourable member has only three minutes more.

Rao Bahadur S. N. ANGADI: I would not be surprised if the Honourable Member would shudder at those figures. We find that the policy of irrigation so long pursued by the Government deserves severest condemnation. It is far from satisfactory, and it is far from being impartial. In Sind up till now, Government have spent in all Rs. 3,50,00,000 over completed schemes, and in future they are going to spend Rs. 18,35,00,000. In Gujarat and the Deccan they have already spent Rs. 5,45,00,000, and in future they are going to spend Rs. 6,19,00,000. Whereas, we find that Government have, in the past, spent about Rs. 14½ lakhs over the Gokak canal. That is the only canal we have in the Karnatak, and even in that connection I must observe that Government have entered into a contract with the Gokak Mills, which has hit the ryots very hard. So, I say that these figures ought to serve as an eye-opener to the Government, and they ought to see that the Karnatak, which has been completely neglected in the past, and which has received no better than step-motherly treatment, is given better treatment at the hands of Government. Do Government think that the Karnatak people are step-children? We also hear the cry that Bijapur is in the grip of a very dire famine. Also certain talukas of the Belgaum and Dharwar districts are affected. If we want to keep this land of the Karnatak immune from famine, I think Government ought to spare more money than what they have done for irrigation works in the Karnatak.

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Unfortunately, my time is up, otherwise, I very much wished to speak, at greater length, regarding the iniquitous irrigation policy of the Government.

The Honourable Mr. J. L. RIEU : Mr. President, I desire to say that I share to the full the disappointment which has been expressed by honourable members of this House at the unfavourable agricultural conditions that have developed in this Presidency of late. This disappointment, I may say, is all the more acute because of the very high expectations which were formed regarding the season this year as a result of the apparently very favourable monsoon. But this disappointment should not lead us to take an exaggerated view of the situation as it presents itself at the present moment, and therefore we have thought it advisable to publish a Press Note, which has been placed in the hands of honourable members, giving a general idea of what the actual agricultural conditions now are in the presidency. As honourable members may have seen, the only localities in which there is any sort of approach to real scarcity conditions are, in the Northern Division, the Ahmedabad district, regarding which we have just had a very full statement by the Commissioner of the Northern Division, and, in the Southern Division, Bijapur, which is mainly a rabi district and in which the rabi crops have failed extensively owing to the non-occurrence of the late rains. But it has to be generally recognised that the conditions are very different as between Gujarat and the Deccan. In Gujarat, any general failure of crops does still tend to lead to real famine conditions, such as were known in the old days. In the Deccan, however, things have changed materially of recent years. The people have become more mobile, and they have other sources of employment than that of agriculture and, generally speaking, the only serious difficulty which is experienced on occasions of rain failure is that of a dearth of fodder for the cattle. But I am glad to be able to assure honourable members that even in Bijapur, notwithstanding the failure of the rabi crops, the fodder situation is such as to give no cause for apprehension, at any rate at present. We are actually buying fodder from the public under our famine storage scheme, and this fact makes it manifest that there can be no fodder shortage in that district generally.

It has been suggested in certain quarters that while Government are continually putting up the assessment, even when there is a general failure of crops, no measures have been taken by them to prevent the results of such a famine. In order to correct any misapprehension that may exist on this subject, I would ask honourable members to bear with me for a few minutes while I give a brief resumé of what is being done by the Revenue Department to avert the results of any scarcity due to failure of the rains.

The activities of Government in this direction fall under two main heads; the one is irrigation, and the other is fodder storage. As regards the first head there is a provision under the head 15A, Civil Works (Irrigation), which stands at Rs. 8,29,000, out of which Rs. 7,49,000

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is the expenditure that will be incurred in connection with the operations of the Superintending Engineer on special duty for minor irrigation works. There have been references made in the course of the debate by two honourable members to the report which has just been issued by this officer. They were both of a somewhat unfair and scornful nature, and I can only attribute this fact to ignorance. One honourable member indeed admitted that he had not had the time to read the report, while the other honourable member evidently did not study it with the care that was necessary. Otherwise he would not have made the statement he did when he instituted a comparison between the actual results achieved and the number of proposals sent in. I would commend this report to the very careful consideration of honourable members, for it is a most interesting report and full of promise for the future in the matter of small irrigation schemes. Mr. Lowsley has entered upon his duties with great enthusiasm and has shown great activity. I should like if possible to show honourable members who are interested in the matter the reports that have been received from him regarding the meetings which he has held in the course of the year in 13 of the scarcity districts of the Presidency, because they show to a remarkable extent the enthusiasm which his operations are arousing among the people. If any honourable member desires to see the report regarding his own district, I am sure that the honourable member the Revenue Secretary will be glad to show it to him. It is perfectly true that so far very few actual results have been achieved, if you measure them by the number of works completed, but a very large amount of preliminary investigation has been undertaken: 215 schemes have been investigated, and the investigation of 116 schemes has been completed. That alone represents a very large mass of work. Two schemes have actually been carried out to completion.

In another direction, with regard to the supply of water, a provision of 3 lakhs has been made in the budget for grants-in-aid to local boards for constructing new wells or repairing old ones in bad repair. In this connection I should like to announce to honourable members an important decision that has been arrived at by Government which constitutes a valuable concession to these bodies. Formerly, the condition was that the expenditure by the local body in any district, whether from its own resources or from public contributions, should be double the grant given by Government for such purposes. Government have now reconsidered the matter and have come to the decision that in future only half the amount of the Government grant should be provided by the local body or by public contribution. I trust that this procedure—revised basis for Government grants-in-aid—will have the effect of giving a marked impetus to the construction of village wells. Finally, there is a provision of Rs. 43,000 for the operations of the Water Diviner to Government a matter which will, no doubt, come up later on for discussion in this house.

I shall now give a very brief resumé of the operations under the fodder storage scheme initiated not long ago by my predecessor, the Honourable

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Sir Chunilal Mehta. There are three districts in which these operations are being carried out by Government agency in the Revenue Department—Sholapur, Bijapur and Belgaum. In Sholapur we have up-to-date bought 100 lakhs of pounds of kadbhi, and we have now made arrangements to provide approximately double that quantity, so that there will, I hope, be 200 lakhs of pounds in stock at the end of the year. In Bijapur 85 lakhs of pounds have been stored up-to-date, and we hope to supplement this by another 200 lakhs of pounds in the course of the year, the total quantity stored thus rising to 28½ lakhs of pounds. In Belgaum operations have been on a smaller scale, and it is not proposed to continue them at present, the actual storage up-to-date being 9 lakhs of pounds. In Dharwar the operations have been conducted by the Agricultural Department. The actual present storage is 18 lakhs, which it is proposed to raise to 58 lakhs. In Nagar the operations have been carried out by the district local board with funds loaned to them by Government. In the course of the past three years the total amount of storage has amounted to 27½ lakhs of pounds, at an expenditure of about 4½ crores. This large amount has necessitated the reconsideration of the whole scheme, as it is not certain at present how long this stored kadbhi will last or at what rates we can sell the old kadbhi with a view to replacing it with new kadbhi and therefore, operations are, for the present, in abeyance.

Mr. President, I have given these figures, which are the latest, to indicate that Government are by no means oblivious of their obligations in the matter of providing against the possible results of a failure of the rains. As the honourable member the Commissioner of the Northern Division has referred in his speech to the Bhal tract of the Ahmedabad District, I should like to inform honourable members that we have had under consideration the special necessities of this tract. We realise fully our obligations in the matter of making better provision for it, and within the last two years Rs. 90,000 has been spent on repairing the old existing tanks or on excavating new tanks with a view to increasing its irrigational facilities; and this year Government have just sanctioned another Rs. 10,000 for the same object. All this is only a part of a larger programme, which will extend to a lakh and a half of rupees.

Now, I should like to refer to certain points which have been brought out in the course of the debate. The honourable member Mr. Swaminarayan raised the question of the curtailment of the annual contribution to the Famine Insurance Fund, which is proposed to be reduced from 63 lakhs to 33 lakhs. He suggested that by this reduction, the amount which will be spent by Government on famine operations will be immediately reduced. That is a complete misconception of the situation. This contribution does not represent the grant for expenditure year by year; it represents the building up of an insurance fund, so that if Government is overtaken by any great emergency in the nature of a widespread famine.....

Mr. J. C. SWAMINARAYAN : Sir, may I explain ?

The Honourable the PRESIDENT: Let the honourable member proceed.

The Honourable Mr. J. L. RIEU:so that if Government is overtaken by any great emergency they may have ample funds at their disposal for meeting it. I can assure this House that there is no intention whatever to curtail in any sense our expenditure either directly on famine measures or indirectly on measures which will secure protection against famine.

Then I should like to refer to the question of the recovery of arrears of land revenue. There has been a suggestion made that Government are recovering the arrears of revenue in an arbitrary fashion, that there is a tendency to put undue pressure on the people, and so on. This is a suggestion which I wish to repudiate entirely. I think honourable members should know that the whole system of remissions and suspensions has been very carefully laid down, and that there is a regular scale, according to the annewari valuations, of recoveries either of the current year's or of the past year's revenue. The accuracy with which this scale is applied of course depends on the accuracy of the annewari valuations made by the local officers. I have heard it suggested widely both in the press and elsewhere that the tendency of our revenue officers is to put up these valuations unduly and unfairly. It is suggested that the mamlatdar starts with a comparatively low valuation, the deputy collector screws it up and the collector screws it up still further. As against this I may give the instance of what has actually happened in the Nagar district as reported by the Commissioner of the Southern Division. They had there a general conference of all the revenue officers of the district to consider the question of the annewari valuations in order to compare notes together to arrive at a fair result. In the event, changes were made in 33 cases from the original annewari valuations as given by the mamlatdars. Well, on an examination of these changes it was found that in 16 cases the mamlatdar's valuation had been put up, but on the other hand, in 15 cases the deputy collector's valuation was actually lower than that of the mamlatdar. Another instance I should like to give is that of the Belgaum district. There, there was held what is called an "annewari conference," in which the villagers concerned were present and their views were heard. Non-official committees were formed for a certain number of villages where the annewari valuation appeared doubtful, that is to say, where there was reason to suspect that crops had failed. These village committees made their independent enquiries, and in the case of 15 villages out of 20, the annewari valuation as made by the village committee agreed with the valuation made by the mamlatdar. It was only in 5 cases that there was some difference of estimation, and in those five cases the people of the village were informed of the difference and were given an opportunity of appealing. However, they did not choose to appeal, and therefore the mamlatdar's valuation was accepted. I mention these cases just to remove the impression, which, I believe, is generally prevalent, that these annewari valuations are made without any consideration and with the general idea of putting them up so as to avoid loss of revenue by suspensions and remissions.

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Then, I would like to refer to the remarks made regarding the Satara settlement by the honourable member representing Satara (Mr. Jadhav). The thesis he put forward was that former peasant proprietors were being supplanted by landlords, that high rents were being exacted from the cultivators by the landlords, and that the rates of assessment, being based on these high rents, were therefore not correct assessments; and he further alleged that in the majority of cases the rents as recorded were the rents actually recovered by the landlord. Well, unfortunately, for him another member representing the Satara constituency (Mr. Deshpande) in the course of this debate has asserted that notwithstanding the fact that the value of land is steadily declining and the prices of agricultural produce are also declining, Government are putting up the assessments in revision settlements. Obviously, these two contentions, being based on diametrically opposite assertions, are inconsistent with each other. I prefer, however, to discuss the contention advanced by Mr. Jadhav. It is perfectly true that our assessments are based on rents largely. It is the landlords who receive the rents, and we claim from them a certain share of their profits, which is in the nature of assessment. So, to say that the high rents are due to the enhancement of assessment is not correct. Nor is it correct to contend that the cultivators have been expropriated as a result of enhanced assessments and from this to declare that these enhanced assessments are excessive in relation to the profits of cultivation. It is evident that if the assessments were so excessive, the monied classes would not have stepped in, as they have, to purchase land since no one would purchase land without the possibility of a reasonable return.

The Honourable the PRESIDENT : Is the honourable member likely to take much time ?

The Honourable Mr. J. L. RIEU : Only one minute, Sir. Mr. Jadhav also made another statement which I should like to controvert. He told us that a large number of cultivators were forced to migrate in search of employment. Well, that is due to natural causes, and not necessarily to impoverishment on their part. The cultivators in this part of the Presidency are engaged in the actual cultivation of land for a short period of the year only. And it is natural, therefore, that they should want to supplement during the off season their income by taking advantage of the present demand for labour in the great industrial centres. It is not correct therefore to argue from this seasonal migration that the profits of agriculture are declining. There are other points I should have liked to deal with, but the President has already warned me that the time at my disposal has expired.

Mr. K. S. FIRODEA (Ahmednagar District) : Sir, in spite of the explanation given by the honourable member the Finance Secretary about the delay in giving us the budget copies, I am sorry I have to make the same complaint that the budget copies are not given us in time. The budget copies are received by us so late that we, new members of the Council, find it very difficult to go through them. The honourable

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member the Finance Secretary expects us to do full justice to the budget, but he does not like to give us the budget copies earlier. Sir, I am content with his explanation that in giving us the budget copies at a later date, he gives us the up-to-date figures. But I say, Sir, it does not make much difference, when we are dealing with a budget in crores, if the budget is prepared earlier—at least eight days earlier—and give us the copies. This is my complaint and that is a complaint which ought to be repeated every now and then until matters are mended.

My next point, Sir, is this. I am very proud to find that the Finance portfolio is in the hands of an Indian member, but I am ashamed at his creation. (Laughter.) My shame is the greater when I see that he is not only a commercial magnate of Bombay, but also an ex-Minister of this presidency. And really speaking, one is dissatisfied at the way in which the budget is presented. We cannot call it a budget of a prudent man but of a prodigal son. (Laughter.) The Honourable the Finance Member presents the budget with a deficit of 50 lakhs. He says that deficit will be made up out of the general balances. But I ask him this question. How many years is he going to meet the deficit from the general balances? I think at the most he can do so for a year or two. But what is he going to do after this? He says in his budget speech that "the time has come when we have to set our house in order." And we hope that he will try to set the house in order. But how is he going to do it? We find only two ways. One is by way of raising taxation, and the other is retrenchment. As regards raising of taxation, the Honourable the Finance Member has himself admitted in his speech that the cup of taxation is so full that there is no fresh room for additional taxation. Besides, it is complained by the Ryot that they are groaning under the burden of taxation. If this is not possible, my suggestion to him is to have retrenchment. But what do we find here again, Sir? It has been stated by the Honourable the Finance Member that they have appointed a Retrenchment Officer, who is going into the details of the question. I do not see any necessity for this appointment. It is only an act of extravagance on the part of Government. You have already the recommendations of the Retrenchment Committee appointed in 1921 which gave its report in 1923. Then, why do you want another Retrenchment Officer? Sir, this is a matter on which the Government ought to be very keen. But I find that Government is not serious on this question. If they really want to make retrenchment, I think the Honourable the Finance Member, as he is aware of the needs of the whole presidency, will be able to effect retrenchment in one day. But the difficulty is that there is no desire and there is no will. If there is will and desire, everything can be done in no time. My only complaint is that Government is not seriously trying to make retrenchment. It appoints officers, and by the time officers are appointed and their report was out, several months elapse and the whole question is then brushed aside. The Honourable the Finance Secretary has stated that in the present budget there is no room for further retrenchment. Let not this Council be brightened by his definite assertion. We know what happened in the year

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1922 ? When Government definitely asserted that there was no further room for retrenchment, the Council sat tight and told Government that "unless you reduce by 60 lakhs. we shall not pass any additional measure for taxation." And in one day Government as if by a magical wand reduced this sum by way of retrenchment. If the Government really wishes to have retrenchment, it is not difficult to do. It is suggested that the retrenchment should be made in a few menials or a few subordinate servants here and there. I say this is the complaint of us all. Retrenchment should begin at the top. It is said that there are statutory limitations beyond which the Honourable the Finance Member cannot go. I will accept that to a certain extent. But there were opportunities afforded in the history of this Council itself when one Ministership fell vacant. It is not obligatory at all upon Government to appoint another Minister. The Government should have caught hold of that opportunity to keep it vacant. Again, Sir, as my honourable friend Rao Bahadur Kale said, we do not want the present occupants of these posts to be driven away when we say that we should retrench in these posts. What we expect is, if they seriously mean retrenchment, as soon as any vacancy occurs, let Government make up its mind that they are not going to fill up the vacancy till the posts of Ministers are two and the posts of Executive Councillors are two. That is really, Sir, what we expect at the hands of Government. But that is not done. My chief complaint is that the will is not there, the desire is not there ; otherwise the possibilities are always at hand. Government tells us "We are not famishing your nation building departments" and my honourable friend the Finance Member cites some figures in the budget and says "These figures will show you that for those nation building departments we have given you certain lakhs more." I do admit taking these figures, assuming they are true, we do find there is a certain increase. But is that increase sufficient ? Do you really want your nation to prosper ? Do you really want to be useful to the millions of ryots who live in the villages ? Take education, medical relief, public health, sanitation, industries, and others. What has been done ? What has been done in point of education ? I would request the honourable members on the other side to come down from their high tops and come to the villages and see what has been done in the villages in point of education. Can the Education Minister show any improvement ? If he goes to a single village, can he show that education has improved a bit ? Can he show that medical relief has been brought any nearer to the people ? Can he show that public health has been encouraged ? Can we not cite instances where hundreds of people die for want of medicine ? Can we not show instances where pupils have been actually sent away for want of school accommodation ? I know, Sir, in my own district, for instance, a case occurred where number of pupils increased and there was no accommodation and the district school board was approached by the school teacher. And what was the reply given by the district school board ? "Drive away some of the pupils" ! This is the order, Sir, that is given and I do not know whether it has actually come to the knowledge of Government yet. Have you really

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increased the natural amenities of life which every ryot has a right to expect at the hands of Government ? I say Government has not supplied the natural rights, the natural amenities, which the ryots have got a right to expect. If there is a little increase of a few lakhs, that increase is eaten up by the towns and cities ; it does not reach the village population. Therefore, if you really want to encourage the village population, you must increase your expenditure on them by leaps and bounds ; you cannot increase it only by a lakh or so. I suggest to the Honourable the Finance Member and the Ministers also, that if they really have a desire at heart to properly build up their nation, they must make up their minds firm to give as much as possible to the nation building departments and make serious retrenchments in other expenditure even though it may appear hard on some persons owing to such retrenchment having been made. But they must have the courage to do and the will to do.

Next, Sir, I come to the third question. If we look to the details also—I being a new man to the Council and my honourable friend being a master hand in these details I know he will involve me up in no time, but I would only point out to him some facts—the figures of General Administration he has given are for 1921-22. Let us go to the last year. The expenditure on General Administration was 36·9 lakhs, and the expenditure on General Administration in 1927-28 is 127 lakhs. What is the result ? The result is that the expenditure on General Administration has increased three and a half times. And what is the increase on education ? A few lakhs only. The Finance Member himself has admitted in his budget speech that in several other departments, particularly on public health, there is a decline. It has gone down. On public health it has gone down. On agriculture it has gone down. And for industries of the whole presidency he provides only Rs. 93,000 ! I ask my honourable friend : Is that a proper provision which Government should make for the industries of the presidency ? A committee was appointed to consider the question of technical education. That committee went into the whole question and made its report to Government a long time ago, and nothing has been done by the Government to bring into effect the recommendations made by that committee under the presidentship of Sir M. Visweswaraya. My difficulty is, Sir, that the Government is not looking to the proper interests of the people. They only look to their own affairs, to the fat pays of the high officers that already occupy these posts. They do not want to displace them. What is the remedy ? The only remedy is to cut off these tall poppies. One honourable member on the Government benches objected to the name “tall poppy”. I do again utter it and say that unless these tall poppies, unless these “post offices”, are reduced, nothing can be done in the interests of this presidency.

The Honourable the Revenue Member has told us that by decreasing the famine contribution by Rs. 30 lakhs it does not mean that the famine works will suffer. Now, he has said to us that Mr. Lowsley has been appointed special superintending engineer to look after minor and small irrigation works. I know from my own district if people from several villages go to him and ask for such works, what does he complain of ? He

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complains that there is not sufficient provision in the budget. I would request my honourable friend to make sufficient provision in the budget. Why are these famine contributions and grants to be built up? Why do you wait for actual famines to occur before utilising this money? Why don't you use it for productive and protective works all through the districts? Why do you give them a miserable 5 or 10 lakhs? Why not spend 30 and 50 lakhs, so that one district at least will be safe from the clutches of famine? Now, take the case of my own district. There is not a single year during the last ten years when it has had a very good crop; almost every year there is dearth. My suggestion is that, so far as famine relief fund is concerned, the honourable member must give with a liberal hand. If he has got a large balance with him, he should provide large amounts in that fund.

Now, Sir, it has been said by the Honourable the Revenue Member that so far as the annewari is concerned, the mamlatdars, prant officers and collectors have gone into that question in Nagar district, and in certain cases it was increased and in certain cases it was reduced. Sir, these poor mamlatdars are already afraid of the higher officials. They in the first place increase the annewari to such an extent that, if it is reduced, the prant officer should say "I have reduced the annewari by two annas". But what about the first annewari? Our complaint is that the first annewari itself is not equitable. It should be done after full consultation with the people and with their consent. Now it is left to the sweet will and pleasure of the mamlatdar or the circle inspector. Therefore, merely because you find that in certain cases it was reduced by two annas here and there it does not mean that the annewari is really done on a proper and a sound scale.

The next point I wish to bring out is about the Back Bay Development, the Sukkur Barrage and such like big scandals which have given vast material for newspapers to talk about. I really confess, Sir, that I am not an expert in these matters but that I am merely a layman, but as a layman I have taken the trouble of going through the reports of committees appointed under the presidency of Sir Joseph Kay and Sir Grimwood Mears. What was the impression created on my mind after a perusal of these reports? The only impression created on my mind was that I should not believe a word of what Government officials, however high they may be, may say about these schemes. We were told times out of number on the floor of this house that this scheme was going to be a very profitable one. The scheme was investigated by Bombay officials as well as by Delhi officials and yet we find that there are so many big holes in these schemes that whatever money was put into them went into the sea. My own suggestion is that whatever be the mistakes of past years, let us all sink our party differences and let us all be one and united and let us then give a united front to Government and say "halt, it is not necessary to continue the scheme any further until we are able to improve the finances of the presidency". I therefore request the House to show the requisite amount of courage when the question comes before it for discussion during the next few days.

MOULVI RAFIUDDIN AHMAD (Central Division) : Sir, I feel more inclined to commiserate with than congratulate the Honourable the Leader of the House. I do not know that all the criticisms that have been passed are studied and well-informed. For the sake of the new members I take the privilege of an old member and request them to consider the limitations placed upon the power of the Finance Member. You are raising high constitutional questions. The whole difficulty lies in the fact that you have here a popular legislature but an irremovable executive. The time has not yet arrived for the solution of this constitutional question. When the solution, of this problem is concluded the Honourable the Finance Member may be blamed for not exercising the power which the constitution gave him. I doubt, Sir, if any other honourable member of this House could have done anything better than what has been done by the Honourable the Finance Member. It is very easy to have recourse to incentive ; it is very easy to be impatient, but looking to the circumstances, it is impossible for him to carry out what you expect him to do. Honourable members seem to think that whatever is desirable is always possible. But they will soon find out in actual life that whatever is desirable is not always practicable. In his capacity as the Leader of the House, the Honourable the Finance Member is inferior to none of his predecessors. His courtesy, his universal desire to listen to grievances of honourable members, his earnestness all must appeal to us. The real fact is that we can only change or modify $\frac{1}{4}$ th of the budget ; $\frac{3}{4}$ ths of the budget we cannot change. It is all very well to talk of lopping off the tall poppies. It is easy to say that you can destroy the whole of the steel frame, but before you destroy the steel frame, you must make some marble pillars or some wooden structure to take the place of the steel frame. It is in the hands of the Secretary of State. Remember another difficulty of the Honourable the Finance Member or for the matter of that of every Indian member that is placed in the Treasury Bench, so long as there is no revision of the constitution to the extent of full provincial autonomy. The Honourable Member has to serve two masters—he has to serve the legislature and he has to serve the Secretary of State. Put yourself in his place when you criticise him. Is it possible for him to have done anything more ?

The Honourable the PRESIDENT : The honourable member should address the Chair.

MOULVI RAFIUDDIN AHMAD : I was addressing the Chair but looking at the other side.

The Honourable the PRESIDENT : I just want to point out that it is not a question whether the honourable member is looking at the President when he speaks. He should speak in the third person and not address the honourable members direct in the second person.

MOULVI RAFIUDDIN AHMAD : It is allowable in parliament for the opposition front bench to address the Treasury Bench as “you”.

Now, take the budget as it is. Take the Civil Service Estimates. You cannot touch the Imperial services. You cannot reduce their salaries. The only thing you can touch is the provincial services. If you are

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going to reduce the provincial services, I do not think that our own people will be satisfied. You will be placed in a serious predicament.

It has been pointed out that two Indian Ministers will do, and that three are not necessary. I am strongly opposed to that suggestion. The more Indian members you have and the more Indian Ministers you have, the better for you to train them for the administration of the country. I know it is usual to say we are prepared to govern the country, but you cannot do that work without receiving training for it. What is the Indian Member in the Cabinet for? He is there to place the Indian point of view before Government. So long as he presses the Indian point of view in all matters before the Cabinet, even though he may not always be able to carry his point of view, he is doing his part of the duty. Whether he is doing this part of his duty or not, you must find out by a reference to his European colleagues. Judge him from that point of view and see whether he is not doing his very best. It is another matter if his very best is bad under the present circumstances. I have no doubt that he is doing his very best.

I am sorry to say that some of the criticisms that have been made here are unfortunately invited by the honourable member himself by his own remarks with regard to communalism and with regard to the Swaraj party. I am not concerned with his remarks about the Swaraj party but I am certainly concerned with his remarks about communalism. An honourable member of the Swaraj party gave it as his opinion that communalism has been introduced here on account of the special electorates. This has been trotted out everywhere, in newspapers and on platforms. Let me expose this fallacy and inform this House that this is absolutely incorrect. What are the special electorates? In former times, before the days of reforms, both in the municipalities and in the local legislative councils, Government used to nominate a fixed number of Moslem members to represent that community. Only Mahomedan members were nominated to represent the Mahomedan community. Distinguished Hindu politicians to whatever party they belonged were not in favour of nominations. The late Mr. Gokhale himself was not in favour of Government nominating representatives of minorities. All that the Muhammadans wanted was that all those nominations that were made by Government should be made by the community itself, and the late Honourable Mr. Gokhale was in favour of this change. He told us on the benches of this House, in the pre-reform days, that he had no objection whatsoever to that course being followed; on the contrary, he thought that it would be an improvement that, instead of Government nominating members belonging to the Muhammadan community, that community should choose its own representatives. Well, as a result of that, we have got separate electorates. If separate electorates engendered communalism, how is it that it exists in Madras among Non-Brahmins where there are no special electorates for them. Therefore, to say that separate electorates have caused communalism is absolutely nonsense. Communalism if it means monopolising advantages, it does not exist among the Moslems. Moslems do not want Government to

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give them favours. They want Government to give them their rights. I repeat here that the Muhammadans have not got their fair share as an important minority in this presidency.

I then pass on to another matter. Sir, I do not envy the Indian's heart which does not delight to see an Indian Member sitting on the Front Treasury Bench. It is a matter of pride to us that an Indian occupies that position, and I am very glad that the honourable member is given the right portfolio. Very often the charge is levelled against the Government that they patronise only mediocrities. But in this instance they have discovered merit, and they have placed him in the proper place. Therefore, Government deserves our congratulations that they have placed the right man in the right place, and there is no man here who can say that the Honourable the Leader of the House and the Finance Member is not the right person for his place. I am sorry to see that first congratulations are showered on him followed at once by denunciations. In the days of my youth I used to attend the *Akhadas*, where *pehelwans* used to come. A new Pugilist when he first entered the lists he used to exchange *salams*, and shook hands with his rival, but as soon as that was over he gave him a slap on his face. The spirit has been introduced here, but not in a sportsmanlike way. I must say this, that many new honourable members can indulge in invectives, and can very easily give a slap to the Finance Member's face, but they must remember that he can also return the slap, and in so returning he may knock out their teeth. Be fair to our Indian Members: be fair to the Honourable the Finance Member. Nobody can present a perfect budget; his budget is imperfect, but he is ready to follow your advice. Point out where he is wrong in a friendly manner. Is there anything which this House has decided which the honourable member has not carried out. Let us give him time. Try him, but do not prejudge him. This is all that I have to say.

Mr. F. J. GINWALLA (Bombay City, North): Mr. President, we have heard a long oration from my honourable friend Moulvi Rafiuddin Ahmad defending the Honourable the Finance Member and his budget, but I am sure the Honourable the Finance Member is quite capable of defending himself. So far as the budget goes, I can say without any fear of contradiction that this budget is a bankrupt budget. We are heading for bankruptcy, and unless and until you stop this process of borrowing huge sums of money and adding to the interest charges, there can be only one result and that is that we shall have to resort to fresh taxation. My honourable friend the Finance Secretary said that the honourable member Mr. Lalji Naranji drew a very grim picture regarding the debts of this Province. He wanted to impress the House by saying that there was no more debt than about Rs. 26 crores, and as regards the nonredeemable debt he forgot to tell the House that this Presidency has to pay interest thereon. In this connection, I would invite the attention of this House to page 33 of the Blue Book. That page shows conclusively that the debt of this presidency is Rs. 46 crores, and after deducting about Rs. 15 crores lent to the Port Trust, the Bombay Municipality and the

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Improvement Trust, it leaves a balance of Rs. 31 crores, and if we add the pre-Reform debt of Rs. 890 lakhs *plus* the Provincial Loan Fund, it brings the total to Rs. 40 crores. Also, if we refer to page 75 of the White Book, we shall find a correct idea as to what are our interest charges. It shows that this presidency has to pay an interest of Rs. 3,22,00,000, out of which, we have to pay a net interest charge of Rs. 2,29,00,000. That is what appears on page 75 of the White Book. Now, add to these present interest charges the further commitments on account of the Sukkur Barrage. We are told that by the end of the year the charges of the Sukkur Barrage will be coming near to Rs. 6 crores, and hereafter we have to spend a further amount of Rs. 12 crores. We shall spend, I believe, at least another crore on the Development Department. Even if we take these estimates, we shall have spent Rs. 13 crores to Rs. 14 crores, and if you calculate the interest on that sum, it will come to Rs. 75 lakhs, at 6 per cent. So our total interest charges come to about Rs. 3 crores, and in spite of all these heavy liabilities, we are told by the Honourable the Finance Member that our balances can be regarded as satisfactory. Well, Sir, I do not share his optimistic view. I say that if you want to place the finances of this presidency on a sure foundation, you cannot go on drawing on our balances. As a matter of fact, leaving aside the famine fund of Rs. 2 crores and odd, there is a balance of only Rs. 1,08,00,000, and if we go on incurring all these charges and debts, there can be only one result, namely that we will wipe off the whole of our balances, and then we shall have to resort to additional taxation. It has been proved to him by more than one honourable member that this Presidency has been heavily taxed and taxed beyond its capacity. The Honourable the Finance Minister has accepted the proposition, but in spite of the fact that the agriculturists are groaning and starving, and in debts and hungry, Government look on complacently and say it does not matter, things will go on and adjust themselves. I think it is very necessary, if we want to save this presidency from bankruptcy, that we should resort to the only method of retrenchment. This case has not been answered by any member from the opposite benches. The Honourable member Moulvi Rafuddin referring to this question said that it was not possible. My view is that it is absolutely possible. The only thing which is absolutely necessary is that the Honourable the Finance Member must have the courage to put his axe strongly and properly. If he is afraid of opposition and if he wants to please his own party and if he wants to continue a happy family then he will not be able to effect retrenchments. If he wants to make proper cuts he can make them and he will be able to do it.

I shall offer a few suggestions as to the nature of the cuts. As I remarked the cut must begin from the top and I will draw the attention of the Honourable the Finance Member to page 77 of the White Book. There appears an item of Rs. 4,28,000 for the staff of His Excellency the Governor which includes the pay of the Military Secretary. In these days when we want to retrench we cannot afford to have bodyguards and other shows. It is very necessary that His Excellency should set an example

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so that others may follow it. Therefore these bodyguards, bands, etc., should go; and there should be only the necessary staff for His Excellency. There is great scope for retrenchment in the Secretariat, which costs about 16 lakhs. If we examine the number of secretaries there are 21 secretaries, assistant secretaries and deputy secretaries, besides a large number of clerks and superintendents. That shows the top-heaviness in the Secretariat. If we come to the Sukkur Barrage there also you find that the expenditure on the establishment comes to 35 lakhs. Then there is the printing and stationery which costs 16 lakhs. Everywhere we find extravagance and nothing else. Honourable members have time and again urged the removal of the post boxes namely, the deputy collectors and assistant collectors. Then there are the district judges and here there is a necessity for Indianisation. You can have Indian judges on a less pay. The honourable member Mr. Swaminathan has already pointed out that we do not want so many I.C.S. men. We can do with less. If we mean business we can do it. The next cut which has been already pointed out is to reduce the executive councillorships and ministerships. The honourable member Moulvi Rafiuddin pointed out that these posts are necessary in order that Indians may gain experience. If instead of three posts of ministers we have two even then Indians have opportunity to gain experience. We are not to trifle with public money. It is our duty to effect retrenchment and carry on the administration as economically as possible. Then there is the district administration. I will also suggest retrenchment in the High Court. At present there are nine judges in the High Court and formerly we were able to carry on the High Court business with seven judges, four on the appellate side and three on the original side. It was raised to ten, and there were reasons for it. In view of the present depression all round there is absolutely no necessity to continue the present number of nine judges. We can do with seven judges.

Similarly in the Excise there is extravagance all round. As has been pointed out by the honourable member Mr. Jog, we can retrench also in that department. I will quote an instance. It has been already pointed out that the expenditure has grown from 32 to 47 lakhs while the revenue is less. I will go a step further and say that the post of the deputy commissioner carrying a salary of Rs. 1,500 has been abolished and in spite of that the same gentleman is drawing the same salary as personal assistant, which formerly carried a salary of eight hundred rupees.

Looking to the Sukkur Barrage there is extravagance throughout. If honourable members want facts and figures I can show them that lakhs are being spent on railways, bridges, buildings and what not. In view of the fact that 18 crores are being spent on Sukkur Barrage, the expenditure also has risen in the same ratio. I find that there is need for economy there also.

Then I wish to draw the attention of the House to a more important point—the unemployment in the city of Bombay. Although we find so many people going from door to door in quest of employment they have not been able to secure any. We read in the papers cases of suicide

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and people are dying for want of employment. Government go on collecting figures through the Labour office without taking immediate measures.

The same thing we find in the agricultural situation. The Commissioner, Northern Division, gave us to understand that there was no necessity for the fears entertained by the public. I would, however, draw his attention to the report issued by the president of the Dhanduka taluka local board. These are his words :

This is the real condition. People have neither money nor corn nor credit. They are living upon grass corn. So the question is not so much of suspension, which thanks to the sympathies of officials, gives hopes of favourable settlement. The question is, what should be done to give them bread to keep them alive as human beings and intact as agriculturists.

That shows the amount of attention that our officials and the Honourable the Revenue Member bestow on the agriculturists. It is the same case with Bijapur. Thousands have migrated to Hubli and several other places for employment; still the officials say that there is no scarcity and no famine. Thousands of people are going away from their own native country; still Government take no steps to start relief works. When I put the question to the Honourable the Revenue Member he kept silent. When Rome was burning Nero was fiddling. In the same way when thousands of people are starving, instead of going to the spot himself and doing something to relieve them, he awaits the reports of mamlatdars, talatis and deputy collectors. I am reminded of a drama called "Raj Taranga". There was a king and he would not listen to people's complaints unless they were versified by the court poet and sung before him. One day his palace caught fire, but nobody had the courage to inform the king unless the narration was versified by the poet. When this was done and the information was conveyed to the king in proper form, he found that the whole palace had been reduced to ashes. In the same way when people are dying of starvation, no relief works are opened by the men responsible. The Revenue Member is quietly listening to the speeches of several honourable members. I say this is a matter to which serious attention should be paid, and instead of awaiting reports the Honourable the Revenue Member should take immediate action. He says that Government are looking into the matter carefully; but, Sir, what we want is not careful consideration, but immediate action, and that action is not forthcoming.

Then, I come to the Industries Department. Several honourable members have dealt with this, but I would also like to draw the attention of the House to the question of industries. Nothing has been done so far to promote indigenous industries. On the other hand, the grant of 7 lakhs taken last year has been reduced this year to Rs. 93,000. I do not think my honourable friend Moulvi Rafiuddin Ahmad will be able to defend the Honourable the Finance Member on this point. If an Indian Member does not provide more than Rs. 93,000, I do not know whom we should look to. As regards the report called for, that report is overdue. All reports are published, but I do not know whether this report has been pigeon-holed. The impression left is that Government

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do not want to encourage industries, and that Government do not want to publish the report because it would expose them to strictures from this House.

I would also like to draw attention to one useless department, the Information Bureau. There is no necessity for this Bureau; it is a useless department. If Government want to give information to the public they can do so through their various departments, without spending Rs. 2,000 per month.

I say that there is a clear case for retrenchment and economy. If the Finance Member takes courage and has the will to do it, he will be able to do it.

Mr. G. L. WINTERBOTHAM (Bombay Chamber of Commerce): Mr. President, the sturdy commonsense of my honourable friend Moulvi Rafiuddin Ahmad is really most refreshing after the speeches of most of the honourable members to which it has been my misfortune to listen. The Honourable the Finance Member may very well exclaim "Save me from my friends." He was told in effect: "You are a very fine fellow, and we are delighted that an Indian should be Finance Member; but we are bitterly disappointed with you for not being able to achieve the impossible." I have no doubt that the Honourable the Finance Member may be able to derive comfort from the knowledge that anyhow some section of the House thought, before he had to expose the fallacy, that he was a miracle worker.

Now, Sir, it seems to me that what this House stands badly in need of is a sense of proportion, so that it can view this budget in its true perspective. It appears to me.....

Mr. R. G. PRADHAN: I rise to a point of order. Is it Parliamentary to criticise this House in this manner, that it is lacking in a sense of proportion?

The Honourable the PRESIDENT: I do not see any point of order there.

Mr. G. L. WINTERBOTHAM: It appears to me, Sir, that the three main features of this budget are the effects of the costly mistakes of the past, the misfortunes of the present and the difficulties of the future. As regards the costly mistakes of the past, there will no doubt be more to be said at the proper time, and I have no doubt that it will be left to be said by somebody more capable than I. But what strikes one is that in the budget as presented we are not told that the yearly sum of 27½ lakhs which has been set aside to meet the loss of Rs. 4 crores 11 lacs arising from the activities of the Development Department will be the final figure. I understood the Finance Secretary to say to-day that, as far as their present estimates led them to believe, the 27½ lakhs would be all that would be necessary, but we have no assurance of that. Judging by the accuracy of the estimates of the Development Department in the past, we can only hope that the assurance of the Finance Secretary will prove to be correct in the future. It is impossible of course for me to agree with the honourable member Mr. Lalji Naranji who advocated

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the immediate stoppage of all capital expenditure by the Development Department, but there must come a stage when the activities of the department must be shut down, and it seems to me that it is very important to watch and scrutinise Government's proposals with a very eagle eye to see when this stage will be reached.

Then, Sir, turning to the misfortune of the present ; under that I would include the damage to crops and the bad state of trade. It is impossible to blame Government for either of these happenings, although I heard an honourable member now sitting on the front bench (Mr. B. T. Desai) say yesterday that it was entirely due to the local Government's manipulation of the exchange and deflation of the currency. I have yet to learn that the local Government have anything whatever to do either with exchange or with currency. The difficulties of the future are the falling revenue from Excise duty to the deliberate policy of this honourable house and the absence of expanding revenues owing to the effect on the revenues of this province of the Meston Settlement. The difficulties of the future have to be considered with the misfortunes of the present, and I submit, Sir, that in all the circumstances it is a matter for congratulation that in spite of all the adverse factors the Honourable the Finance Member is able to submit a budget showing a deficit of only six lakhs less than the sum of the provincial contribution.

I suggest that instead of member after member getting up and crying out that retrenchment is the panacea of all our trouble, it would be better for them to cultivate a sense of studying provincial patriotism with a view to helping Government to secure from the Government of India the revision of the Meston Settlement for which they are fighting.

It is almost pitiable, Sir, if I may use the expression, to hear members making light of this main issue and harping on the subject of retrenchment in the superior services. The honourable member from Nasik gave due prominence to the question of the Meston Settlement, but even he said, as I understood him, that the relief to be gained from this source was not as great as could be secured by retrenchment.

Mr. R. G. PRADHAN : I did not say so. What I said was that after the contributions have been dispensed with, our share in Income-tax will come so little that it will not meet our situation entirely.

Mr. G. L. WINTERBOTHAM : I must apologise if I have in any way misrepresented the honourable member.

On the subject of retrenchment I would ask the Honourable House to remember what we heard only the other day from His Excellency the Governor as the responsible Head of the Executive. His Excellency said :

' It is really impossible, without serious detriment to essential services, and I may go so far as to say without irreparable damage to the security of law and order, and to the nation building service, to reduce our expenditure further than we have done. '

In the face of that Sir, I say that it is the purest nonsense to insist that retrenchment in the higher services is the panacea for all our ills. This House has no power to reduce the salaries of the Superior Services,

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and as regards the provincial Services, the Honourable the Finance Member quoted figures in his speech which gave us every reason to be proud of ourselves as compared with other provinces, and I submit that it would be a retrograde step to retrench in this direction.

There is one point which I could have wished that the Honourable the Finance member had made clear, and that is that portion of his speech where he points out that the Government of India had recently written pointing out that if Bombay City was to double the number of its police sepoy, it might become as law abiding as the City of Calcutta.

I can well understand the Honourable the Finance Member using this to point the moral with regard to the danger of reducing the police services lower than has been done already, but at the same time it must be perfectly obvious to every one that there must be some fallacy in the figures, and I trust that the honourable member concerned will point it out.

Before resuming my seat, Sir, I would appeal to the House to show Government that at least on this one point—I refer to the revision of the Meston Settlement—we are all agreed so that they may feel that they have the united support of every section of the House in their struggle to secure from the Government of India common justice for this province by doing away with what the Honourable the Finance Member refers to as the inequity, but what I should prefer to call the iniquity of the Meston Settlement.

Mr. N. A. BECHAR (Karachi City) : Sir, I echo the sentiments expressed by my honourable friends from Ahmedahad and Bombay, and I very much wish the Honourable the Finance Member had spared us from the process of humiliation and torture through which he took us, when offering his observations on the budget, regarding the Swaraj Party. Sir, if the Honourable the Finance Member expects that the Leader of the Swaraj Party, who is not present here just now, the honourable member Mr. Nariman, should crawl on his belly or go on his knees to the Honourable Member representing "Law and Order," then I would say that he is entirely mistaken. That position, I do not think, he will expect any man with self-respect to take up. I must say to him that he must remove his notion about the definition of co-operation which he expects from the Swarajists. Sir, it was not my privilege to be in the last Session, or at any rate, during the last three years, when the Swarajists entered into this Council. But from the proceedings that have been read by me, I find that Mr. Jayakar, who led the Swarajists, did not show the hardest opposition, but carried on the business from his side with a perfect eye of looking to every proposal on its own merits, which the Honourable the Finance Member asks us and preaches us to do.

Sir, coming to the question of obstruction, he says that obstruction or non-co-operation, whatever term he may use, must be condemned. I do not know, Sir, whether he is justified in his remarks by history. I do not think he will challenge the opinion of Dicey, who occupies a far higher position than him in the matter of law. Let him read his book

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on Law of Constitution and he will be able to see that constitution thrives by obstruction. Certainly, the Swarajists did not form the formidable opposition, to put it in the British Parliamentary language His Majesty's opposition. If the Honourable the Finance Member expects that we should simply go into the lobby of Government, I assure him that that will not be the case with the Swarajists. The honourable member Moulvi Rafiuddin Ahmad referred to the Honourable the Finance Member being an Indian. He said that as he is an Indian, he should receive the support of this House. But let me tell the honourable member Moulvi Rafiuddin that it will not be our position. Our position is that we want to know how far the people as a whole are progressing. The Honourable the Finance Member also told us that we should study the budget and we shall be wiser and sadder. But I confess, Sir, that I have been absolutely sad and sadder. The only thing that the Reforms have brought is that instead of a white king log, we have now a brown king stork. There is no other difference in the administration. If you understand, Sir, or if you want us to believe that merely because an Indian occupies the position of the Finance Member therefore we should be satisfied, I tell you that is not the spirit in which to work for responsible government. It may be he or it may be anybody else. That is not our concern. The swaraj or the responsible government for which we are craving certainly does not mean a few people ruling over the country in the manner in which they like. Our necessity for swaraj is more based on economics. It is rather an economic necessity than a mere sentiment that we call swaraj and nothing else. Sir, we ought to revise our opinions about swaraj and about the kind of government that we want. Our nationalism does not mean anything if it is not synonymous with socialism. I say that that nationalism will be a curse to the country if it means anything other than socialism. At present we are governed by a very few people. Those few people come at the top. Instead of a white man we may have a brown man, but I do not think we will be any better than what we are to-day.

Now, Sir, referring to the various proposals in the budget that the Honourable the Finance Member has made, I should like to refer to some of them. In point of salaries, he has referred to Bengal and the various parts of this country. I say, Sir, these comparisons have no relevancy, because it is the British Government that really orders the salaries and they are paid so everywhere. But if he were to go and find out what are the salaries paid in the different countries and the relative budget and the relative revenue, I assure you, Sir, he will not find one single country outside India which is paying for their services and their high officials as much as India is paying. Look at Ireland, which has just obtained its autonomy from Great Britain. You find, Sir, that President Cosgrave with three times our revenue, gets only £2,500 a year and the other ministers are getting £1,700. In England and elsewhere all these people that are drawing these salaries are all drawing them as merely tokens. It may represent the bare minimum necessity for carrying on the necessities of life. But here, largely because we are importing Europeans,

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not the Europeans but rather Englishmen, for our services at very very high rates, therefore the inference is drawn by many Indians that our position will be degraded in the eyes of the Europeans if they serve on less salaries. Sir, the fallacy underlying such an inference is so rotten that I do not think it requires or can bear a moment's examination. On the contrary, I would ask these people to accept less salaries and put the high English or European officers to shame telling them "You are plundering and swallowing away the money which ought really to go to the service of those from whom the revenues come."

Now, Sir, the Finance Member in his budget has given us proposals with regard to the various services on which he proposes to spend the whole of his amount, and before I proceed to consider these I echo the sentiment which Seth Lalji Naranji has expressed in this House. He has very rightly told us that he himself, a Bombay man, does not want the Development Department, that it has landed this presidency into a loss of three crores of rupees and we do not know where we are going to end. If the kind of people who are likely to get some amount of benefit from the Back Bay Reclamation Scheme themselves are against it, and I say a gentleman from Bombay, Sir Joseph Kay, who is also representing the European population of the presidency is against it, then I ask you, Sir, for whom are you reclaiming this land? Are you reclaiming for the labourers? Or is it your prestige that comes in the way of stopping this work? Is it because once you have embarked on this scheme, therefore, in this bureaucratic fashion you will go on with it? I assure you, that that is not the way in which Government by discussion can be carried on. I came to this House largely with a desire not to obstruct or anything of the sort. Never did I believe that I was going to secure the political liberation of my country from such Parliamentary Institutions, and when I came here I thought I would be able to do some work for the poor labouring classes by the sweat of whose brow we are living and thriving. And what do you find? Sir, the Honourable the Finance Member has presented to us a budget and in making his observations he has not touched upon the large question of unemployment which is staring us in the face in this country. When I read the speech of the Honourable Sir Chinnilal, I thought that he was trying to merely act as an agent of the foreign Government, but when the honourable member the Finance Secretary Mr. Wiles got up and spoke to us in a typically bureaucratic and wild fashion, I really felt that in the Finance Member's speech the hand of the bureaucrat was there, and that the speech which was prepared or at any rate which was read out to us was not perhaps prepared by the honourable member himself. Sir, what does the Finance Secretary tell us? He sneers at the reduction of Rs. 27,000 on this small expense, Rs. 5,000 on this small expense, and so forth. I ask you, Sir, has he got genius to reduce by one stroke of the pen any big item which will amount to lakhs of rupees? It is certainly the small amounts that, after all, make up the total deficit and we must make up by retrenchment. I was talking yesterday to my honourable friend the Honourable Member Mr. Pahalajani that here are the figures as against the

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Rs. 50,00,000 deficit with which we are faced to-day. You find the expenditure on the Government Houses increasing and it has increased even this year. And when I told him that I should suggest some retrenchment in these items, he told me that I would be simply breaking my head against the walls. I also felt that being a Swarajist, I would be misunderstood if I spoke about this retrenchment and that it would be always taken for granted that I suggest this retrenchment because it is Government House expenditure but the "Times of India" has come to our aid to-day. It tells the Governor that the only proper thing for him to do is to live simply. It is not necessary for the Governor to organise Garden Parties at Government House in order to become popular.—In that way His Excellency can become popular only with Rao Bahadurs and Khan Bahadurs but not with the people. I assure you, Sir, those days are gone, and if you think that any one can become popular in this country by asking such people to attend such functions, then I say, you are entirely mistaken. The days of Knights, Rao Bahadurs and Khan Bahadurs are gone and they are hardly worth a Russian Rouble in this country to-day. Therefore, if you really want to become popular you should get in touch with labourers in mills and eat with them simple "khana" and in that way alone you will be able to earn popularity which any one having any sense of responsibility wants to earn.

I shall now present certain figures to the Honourable the Finance Member and I hope he will take note of them. I find first of all on the revenue side that in 1910 we had a land revenue of 461 lakhs. In 1928 we have a revenue of 530 lakhs. The increase is only 15 per cent. As against that increase we find that in 1910 the expenditure on the Revenue Department was 78 lakhs whereas in 1927-28 it has gone up to 170 lakhs, showing an increase of 100 per cent., as against 15 per cent. increase in revenue. Now, go to the Excise. Excise has gone in revenue from two crores to four crores, whereas the expenditure has gone up from 10 lakhs to 47 lakhs, which gives a 400 per cent. increase. Go to the Forests and you find that from 43 lakhs revenue in 1910 it has gone up to 71 lakhs, representing a 75 per cent. increase, whereas the expenditure has gone up from 26 lakhs to 13 lakhs.

Looking at these figures I tried to find out what really must have contributed to the increase in expenditure. I find that in 1915-16 the expenditure on the imperial services was Rs. 67,69,000. In 1921-22 the expenditure went up to Rs. 97,52,000. The increase is Rs. 29,83,000. If you add on to it the Lee Loot it comes to 10 lakhs more. That is the position as regards the imperial services.

Now, let us consider the provincial figures. The provincial figures have gone up from Rs. 48,87,000 in 1915 to Rs. 79,50,000, which represents an addition of about 30 lakhs. Here, I would like to enter a most emphatic protest against the expression so often used by honourable members in referring to clerks and other small employees as "menials." They really are the men who carry on the administration. I most strongly protest against the use of that expression and I hope it will be wiped off

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from the records of Government. In 1915-16 we find that the expenditure was Rs. 2,19,64,000 and in 1922 it went up to Rs. 4,46,51,000. The total increase in all these three services really comes to Rs. 2,97,33,000. If you examine the increase in revenue from 1915-16 to 1922, you will find that it really absorbs the whole of the increase in revenue merely in paying to the services. That is the kind of economy which we are asked to accept.

Various members have suggested different methods to balance the budget, and if they are not acceptable then I would say that Britain should really foot the bill, because it is Britain that has imposed its servants upon us. We have not asked them to be here. They have simply thrust themselves upon this country. While on this point, I feel bound once in a way to agree with the Governor of the Punjab who said at one of the addresses which he gave in the Punjab recently that the bullet is more potent than the ballot-box. I assure you, Sir, those words have a great meaning and great implications. The Government does not sustain itself upon the sufferance of the people. It is not here to carry out the will of the people, but, as the Governor of the Punjab rightly pointed out, Government say "whether you want us here or no, we are here and we will continue to be here". That is the position we have to face, and still my honourable friend the Moulvi Saheb tells us that because an Indian Member is there we must simply take whatever is told to us. I ask the honourable member Moulvi Saheb not to attach so much importance to the communal question which, after all, is a very petty question. What are all these officials going to give you? We should not sell the birthright of our country for a mere official pottage.....

The Honourable the PRESIDENT : The honourable member's time is up.

Mr. N. A. BECHAR : Then I resume my seat, Sir.

The Honourable the PRESIDENT : The Council will now adjourn till 2 p.m. tomorrow, Thursday, the 24th February 1927.

Vol. XIX

Part VI



Bombay Legislative Council Debates

Official Report

Thursday, February 24, 1927

[Price—Annas 5 or 6d.]

BOMBAY

PRINTED AT THE GOVERNMENT CENTRAL PRESS
1927

Obtainable from the Superintendent of Government Printing and Stationery,
Bombay, from the High Commissioner for India, 42 Grosvenor Gardens,
S.W. 1, London, or through any recognised Bookseller.

Thursday, the 24th February 1927

The Council re-assembled at the Town Hall, Bombay, at 2 p.m. on Thursday, the 24th February 1927, the Honourable the President, Mr. A. M. K. DEHLAVI, Bar.-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Saheb
 ADDYMAN, Mr. J.
 AHMAD, MOULVI RAFIUDDIN
 ALLAHBAKSH *walad* Khan Saheb HAJI MAHOMED UMAR, Mr.
 AMBEDKAR, Dr. B. R.
 AMIN, Mr. H. J.
 ANDERSON, Mr. F. G. H.
 ANGADI, Rao Bahadur S. N.
 ASAVLE, Mr. R. S.
 ATAVANE, Mr. A. M.
 BALAK RAM, Mr.
 BECHAR, Mr. N. A.
 BHOSLE, Mr. M. G.
 BHURGHI, Mr. J. W.
 BHUTTO, Khan Bahadur S. N.
 BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
 BIRADAR, SARDAR MAHABOOBALI KHAN
 BOLE, Mr. S. K.
 BROWNE, Mr. D. R. H.
 CHANDRACHUD, Mr. N. B.
 CHATFIELD, Mr. G. E.
 CHIKODI, Mr. P. R.
 DABHOLKAR, Sir VASANTRAO
 DAGUMIYA, Mr. G. A.
 DAUDKHAN SHALEBHOY, Mr.
 DESAI, the Honourable Dewan Bahadur HARILAL D.
 DESAI, Mr. B. T.
 DESAI, Mr. J. B.
 DESAI, Rao Saheb D. P.
 DESHPANDE, Mr. L. M.
 DIXIT, Dr. M. K.
 DUGUID, Mr. A.
 FIRODEA, Mr. K. S.
 GHULAM HAIDAR SHAH, Mr.
 GHULAM NABI SHAH, Khan Saheb
 GILDER, Dr. M. D.
 GINWALLA, Mr. F. J.
 GUNJAL, Mr. N. R.
 HATCH, Mr. G. W.
 HOTSON, the Honourable Mr. J. E. B.

JADHAV, Mr. B. V.
JAIRAMDAS DOULATRAM, Mr.
JAN MAHOMED KHAN, Khan Bahadur
JANVEKAR, Mr. D. A.
JEHANGIR, the Honourable Mr. COWASJI
JITEKAR, Mr. HAJI IBRAHIM HAJI MAHOMED
JOG, Mr. V. N.
JONES, Mr. W. E.
JOSHI, Mr. S. C.
KALE, Rao Bahadur R. R.
KAMBLI, Rao Bahadur S. T.
KARKI, Mr. M. D.
KAY, Sir JOSEPH
KHUFRU, Mr. M. S.
LALJI NARANJI, Mr.
LALLJEE, Mr. HOOSEINBHOY ABDULLABHOY
LIGADE, Mr. S. P.
MAJMUDAR, Mr. N. G.
MANSURI, Khan Saheb A. M.
MARTIN, Mr. J. R.
MEHTA, the Honourable Sir CHUNILAL
MIR MAHOMED BALOCH SHAIKH, Mr.
MONTEATH, Mr. J.
MUJUMDAR, Sardar G. N.
MUKADAM, Mr. W. S.
MURZBAN, Mr. P. J.
NAIK, Rao Bahadur B. R.
NANAL, Mr. B. R.
NA\LE, Mr. N. E.
OWEN, Mr. A. C.
PAHALAJANI, Mr. B. G.
PAINTER, Mr. H. L.
PATASKAR, Mr. H. V.
PATEL, Mr. G. I.
PATEL, Mr. J. R.
PATIL, Rao Saheb D. R.
PETCH, Mr. F. W.
PRADHAN, the Honourable Mr. G. B.
PRADHAN, Mr. R. G.
RAHIMTOOLA, Mr. HOUSENALLY M.
RAJMAL LAKHICHAND, Mr.
RIEU, the Honourable Mr. J. L.
SARDESAI, Mr. S. A.
SAYED MUHAMMAD KAMIL SHAH
SAYED MUNAWAR, Mr.
SHAIKH ABDUL AZIZ ABDUL LATIF, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHETH, Mr. A. D.
SHIVDASANI, Mr. H. B.
SMYTH, Mr. J. W.

SOLANKI, Dr. PURUSHOTTAMRAI G.

SURVE, Mr. V. A.

SWAMINARAYAN, Mr. J. C.

TAUNTON, Mr. I. H.

THORNER, Mr. J. P.

TURNER, Mr. C. W. A.

VANDEKAR, Rao Saheb R. V.

WILES, Mr. G.

WINTERBOTHAM, Mr. G. L.

The Honourable the PRESIDENT: Order, order. Swearing-in of new members.

Mr. N. E. Navle made the prescribed oath of allegiance to His Majesty the King Emperor and took his seat in the Council.

The Honourable the PRESIDENT: Order, order. There is a notice hung up in the Library which honourable members will find regarding the offer by the Honourable the General Member that if any honourable members care to visit the Back Bay reclamation scheme and the area there, arrangements will be made for them to visit the place on Friday the 25th instant, at 8 a.m. If any honourable members wish to take advantage of that offer, they will please read the notice and act accordingly. There is one important thing I wish to mention at the start of the discussion. I find that there are many honourable members still who are anxious to take part in the debate, and consequently it seems that there is a rush of speakers. Even some honourable members saw me about this. It is therefore necessary that each speaker should try to save as much time as possible from the time allotted to him so that the speakers following him may take advantage of it. Otherwise I will have to reduce the time limit from 20 to 15 minutes.

Mr. N. R. GUNJAL (Poona District)(Addressed the House in Marathi): Mr. President, at the outset I am very glad that the Honourable Sir Chunilal Mehta, an Indian Member, has been given the charge of the portfolio of Finance and enabled to present the budget to this House. No doubt there are many defects in the budget. The big mistake in the preparation of budget is this. The budget is closely connected with the welfare of the agriculturists, but as presented to-day it can be understood by people who have received English education. The majority of illiterate agriculturists have not received any English education and therefore they will not be able to understand the merit or defect of the budget. If it is published in the vernacular languages of the presidency and that would be placed in each taluka office of each district in the presidency it will go a great way to help the poor agriculturists in understanding exactly the financial situation of the presidency. Not only this, but official members should sometimes speak in vernacular languages for the information of non-English knowing members as is done in the Central Provinces.

Many honourable members who preceded me urged that severe retrenchment should be effected by cutting down the salaries of the higher officers in order to meet the deficit of Rs. 50 lakhs. I quite agree with that view. The budget is wanting in information with regard to one

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point. Revision settlement is going on in several districts. Whether there will be an increase in the revenue cannot be understood from the budget as it is presented to us. That is by the way. As regards the nation-building departments the provision made in the budget stands the same without any change during the past three years. The Honourable Mr. Jadhav has neglected completely educational and sanitary matters, and he also did not fulfil the promises made by him in 1926 of giving aid to indigenous systems of medicine, i.e., the Unani and Ayurvedic systems of medicine. I hope at least the new ministry will try its best and provide more funds for sanitation and education which are vital to the agriculturists.

The manner in which retrenchment is effected in the Police Department is far from satisfactory. Instead of increasing the police force and cutting down the salaries of sergeants and other highly paid officers, they have done quite the reverse. I say from my experience of Poona that this sort of retrenchment has tended to reduce safety to the people. I would very much desire Government to increase the salaries of low paid police officials and cut down the salary of high placed officers in that department. As regards the fate of the pattawallas, they stand in same position in spite of the resolution passed in this Council to revise their salaries. They are very low paid and do not get the advantages the other pattawallas in non-Government services get. Their pension is not worth mentioning : it is only Rs. 4. At least for the present, they should be given tram and Railway passes.

Then, I come to irrigation, and I would urge Government to take up second class irrigation schemes urgently. This will give protection against possible famines and lead to stability in revenue. The Vatani Mushahira of the Village Patils is awfully low and it must be increased at once.

The next point to which I wish to draw the attention of Government is as regards kulkarni watans : as I am proud of the old Vatandars, I would ask Government to restore the watans. And Government will thereby make a saving of Rs. 10—15 lakhs for other works of a public good.

The Honourable the Finance Member has given the incidence of taxation per head of the population in each of the provinces of India, and I see from that that the Bombay Presidency is the most heavily taxed province in the whole of India. It is unfair to add to our taxes, and I would therefore urge the House to throw out the Stamp Act Amendment Bill. If Government want to escape from deficits and get a stable revenue, the only way to do it is by fixing the land revenue permanently.

An early revision of the Meston settlement is urgently needed in the interests of the province, and I hope, as Government themselves agree that it is unfair, they will take steps to get it rectified and as the province is falling in bankruptcy, the annual contribution of Rs. 56 lakhs should not be sent to Government of India.

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One other point I wish to urge, and that relates to annewari valuations of crop. Government now rely on official estimates of the crops, but I would like them to take the non-official estimates also into consideration. It is not the mere yield that should be taken into consideration, but also the expenses of cultivation, and if, after the valuation, crops are destroyed, Government should not collect the full amount.

For the last two years the House has been consistently pressing for stopping the photo-copying system, but still the Government are not doing anything in the matter. Newspapers have written articles against it, and public meetings of protest have been held in cities and rural areas, but it seems to me that Government do not care for public opinion in this matter.

Then, what about the Sathe-Paranjpye scheme? How can we expect good work from half-starved and discontented teachers? For already over-paid Imperial officers Government have got money for increasing their pay still further, but for the poor teachers, on whom depends the progress of the nation, Government have no money. Similarly as regards agricultural shows; they will be mere shows and exhibitions, if the grievances regarding forest policy and agriculture are not removed for the benefit of the tillers of the soil. Considering all these things, any reasonable person will come to the conclusion that only Swarajya, and at least for the present, provincial autonomy, will give us some relief.

Dr. B. R. AMBEDKAR : Mr. President, the budget discussion has gone on for a long period, and I feel that all that could have been said has already been said. It would therefore have been better for a new member like me to keep silent. But I feel that there is a point of view, which has not yet been placed before this House, and as I represent that point of view, I think it is my duty to give expression to it.

Mr. President, when one begins to criticise the budget, one is at the outset overcome with a feeling of helplessness. For the range of effective criticism is indeed very small. The total estimated expenditure as given in this budget is something over 16 crores. Out of this amount the non-votable expenditure is something like 36 per cent. The total estimated revenue of this presidency is 15½ crores, and out of this about 9½ crores is being levied by the Executive without the consent of this Council. I refer to the land revenue and excise revenue. So, taking both the expenditure and revenue into consideration, I think it is fair to say that the criticism which one has to make is indeed very limited, because the Council can only deal with 64 per cent. of the expenditure and 40 per cent. of the revenue. But taking the things as they are, Mr. President, I proceed to offer such remarks as I am capable of making.

Commencing with the revenue side of the budget, I wish to deal with it in the first place, from the standpoint of the Honourable the Finance Member, and secondly, from the standpoint of the taxpayers. The Honourable the Finance Member will agree with me when I say that the first and most essential requirement of a good revenue system is that it should be reliable. It does not matter whether that revenue system

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brings in large revenue or small revenue. But whatever it brings, it ought to be certain in its yield. Judging the revenue side from this standpoint, I find that the land revenue, which is the largest item in the budget, is capable of a variation of something like 50 lakhs. If you take "Excise," the second largest source of revenue, you find that since the inception of the Reforms, it has shown a variation of 73 lakhs. I, therefore, invite the attention of my friend, the Honourable the Finance Member, to consider the consequences that would follow if these two items in the revenue system varied in the same direction. If they did, then I think they will land him into a ditch of more than one crore. I do not know whether such a system of revenue is a system on which the Honourable the Finance Member should rely. But it is for him to see that and not for me, because he is in charge of the finances of this country.

Now, Mr. President, taking the same items of revenue into consideration and judging them from the standpoint of the taxpayers, I think the revenue system of this presidency is inequitable and undefensible. Take first of all the land revenue. Whatever may be the quibbles, whether it is tax or whether it is rent, I may say that there is no doubt that this land revenue is a tax on the profits of the farmer, in the same way, as the income-tax is a tax on the profits of the businessman. If these two levies are the same, I want to know from the Honourable the Finance Member as to why there should be difference in the methods of levying the two. Every farmer, whatever may be his income, is brought under the levy of the land tax. But under the income-tax no person is called upon to pay the tax, if he has not earned any income during the year. That system does not exist as far as land revenue is concerned. Whether there is a failure of crop or abundance of crop, the poor agriculturist is called upon to pay the revenue. The income-tax is levied on the recognised principle of ability to pay. But under the land revenue system, a person is taxed at the same rate, whether he is a owner of one acre of land, or a jahagirdar or an inamdar. He has to pay the tax at the same rate. It is a proportionate tax and not a progressive tax as it ought to be. Again under the income-tax holders of income below a certain minimum are exempted from levy. But under the land revenue the tax is remorselessly collected from every one be he rich or poor.

Take again the "Excise." This is an item from which a large revenue is derived. There can be no two opinions that this is public legal monopoly. This was not meant for the purpose of enabling the Government to raise revenue, but the monopoly was enacted because the Government would be in a better position to put a stop to demoralisation of the people by spread of the habit of drink. If collection of revenue is the only aim there is no necessity for a Government monopoly. How has this monopoly been managed by Government? If you take the figures as to how much the people of each Presidency spend in drinking, you will find that the Bombay presidency stands first so far as the drinking habit is concerned. I find in Madras every individual spends Re. 1-3-7, in Bengal Re. 0-7-1, in United Provinces Re. 0-4-7, in Punjab Re. 1-7-8, in Burmah Re. 1-4-0, Bihar

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and Orissa Re. 0-8-7, in Central Provinces and Berar Re. 0-15-0, in Assam Re. 0-13-3, but in Bombay we have the appalling figure of each individual spending Rs. 2-2-9. I ask my honourable friend the Finance Member, whether this is a defensible system. Mr. President, Government has accepted the policy of prohibition and has adopted certain measures for carrying out that policy to fruition. But they have not done so. The first of such measures is rationing. Now, Sir, the quantity of country liquor rationed out by Government beyond which it was not to sell was fixed at 1,883,804 gallons. But the limit fixed was only an idle pretence at checking consumption. For the actual quantity consumed was only 1,405,437 gallons, *i.e.*, the actual quantity rationed was in excess of the actual quantity consumed by 478,367 gallons. I understand that a second measure adopted for carrying the policy of prohibition to fruition was the appointment of an advisory committee. But I have found that 40 per cent. of the composition of this advisory committee is composed of *anti*-prohibitionists. I do not think, Mr. President, that the Government benches are treating this Council with respect which it is their due. Mr. President, while I am speaking about the financial system of this country, I think, it is fair to suggest to my honourable friend the Finance Member that the prosperity of the people is the greatest patrimony of the State. He should not demoralise them or he should not beggar them. A state that beggars its people ends in begging itself.

Mr. President, I now want to touch—I know my time is very brief and I hope you will be pleased to allow me a little more time if you can.

The Honourable the PRESIDENT : No, no.

Dr. B. R. AMBEDKAR : Coming to the other sources of revenue, I do not think that the Honourable the Finance Member is doing his best in husbanding the resources of this presidency to the best advantage. For instance, taking the forests as a source of revenue, in 1921-22 the forest revenue was Rs. 74·9 lakhs ; in 1927-28 the forest revenue was only Rs. 74 lakhs. There is, you will see, therefore, a stagnation of the revenue. But if you take the expenditure that has been incurred on the forests, you will see that the expenditure has increased from Rs. 40 lakhs to Rs. 48 lakhs ; so that, ultimately, when we come to speak about the nett gain from forests, you find a loss of something like Rs. 4 lakhs.

Mr. President, I next want to speak of irrigation and civil works. I think I will be wasting my time in giving details. But I do want to say one thing, Mr. President, that when Government undertakes a certain industry or work, it does it primarily for revenue ; or it does it primarily for service though incidentally for revenue ; or it may be that it does it primarily for service. I do not think that the Government has any defined or definite policy with regard to the services it has undertaken. For instance, I personally feel—there might be difference of opinion between me and the other honourable members of this House—but I do feel that the Irrigation Department is not giving us the full return that we are entitled to get from them. I think if my honourable friend refers to the

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Taxation Inquiry Committee's report, he will find that the water rate is very low. I think we on this side of the House are entitled to expect from him better husbanding of the resources of this presidency

Mr. President, I now turn to the expenditure side of this budget. I know most members of this House are alarmed at the deficit. I may say I am not. Deficit is not something which ought to alarm honourable members. What has disquieted me is this, that the deficit in the budget is not due to any inclusion in it of a large policy of social advancement. The deficit is due entirely to the increase in non-productive charges on administration. The deficit budget is to be decried not on account of the fact merely that it is a deficit budget, but because it is due entirely to the increase in cost on the non-productive charges of the administration. Mr. President, the honourable member the Secretary of the Finance Department was yesterday very wise, I should say, in telling the House to be reasonable. He said that if the honourable members of this House desire that they should be taken seriously by the Government benches, they should be reasonable. Mr. President, I admit the force of that argument. But I want to send the argument back to him and ask him whether the increase in expenditure that has taken place in this presidency is reasonable and can be justified on the ground of increase of the administrative quality.

Mr. President, when you compare the cost of administration in this presidency from the year 1910 to the year 1927-28—and I am taking only figures of such departments for the purpose of comparison as were wholly provincial then and as are wholly provincial now—I find under General Administration the charges in 1910-11 were only Rs. 17 lakhs. To-day they are Rs. 126 lakhs. I ask my honourable friend the Finance Secretary whether that is reasonable.....

Mr. G. WILES : If the honourable member will permit me, I would point out to him that I explained to the honourable member Rao Saheb Dadubhai Desai yesterday that the figures given in the statements in the budget should be used with great care. The classification of General Administration before the reforms is not the classification which is taken now. There was an item of expenditure on account of alienated lands which was then shown under another head and which is now included under the head of General Administration.

Dr. B. R. AMBEDKAR : Be that as it may, we are bound to take the statements as are given there, of course, subject to the correction as my honourable friend has said. But I do think that the cost of General Administration in this presidency has been very very heavy. In fact, it has no justification even from past history of this presidency. We have to-day, for instance, four Executive Councillors and three Ministers, and we have under them Secretaries and Deputy Secretaries numbering about 25 or so. I do not think that my honourable friend the Finance Secretary will say that that is something reasonable. The Honourable the Finance Member has tried to explain away this extravagant cost of administration in this presidency. I hope, Mr. President, you will give me some little time.....

The Honourable the PRESIDENT: No. I am so hard pressed for time, the honourable member will understand. He has got only two minutes more.

Dr. B. R. AMBEDKAR: Mr. President, of course, I will drop what I had to say, and I will now come to my conclusion. In this part of my speech, Mr. President, I want to make my position quite clear. We have been hearing from honourable members that there should be severe retrenchment. I have joined and I do join in that chorus with all earnestness, for I believe there is room for retrenchment. But, Sir, I cannot disguise from myself the fact that this retrenchment will not take us very far. Taking retrenchment at its highest, I think it would quite probably give us a relief of a crore or two crores of rupees. But how far will it go? I know by that means we could perhaps balance the budget. But is that the only ambition of this House that the budget should be balanced? I hope, and I hope I am right in saying, that this Council is really earnest in its desire for compulsory education, for medical relief, for freedom of the people from the habit of drink, and for providing all the amenities of life. Then, I want to remind this House that the good things of this earth do not fall from heaven. Every progress has its bill of costs and only those who pay for it will have that progress.

The Honourable Mr. J. E. B. HOTSON: Mr. President, very few remarks about any of the departments with which I am directly concerned have yet been made by any of the honourable members who have addressed the House in the last two days. This may fairly, I think, be taken to indicate that whatever differences regarding policy and practice may exist and may be expressed at a later stage when demands for grants are made, there is a general consensus of opinion that there is no great extravagance in the Police, in the Jail Department, in the Administration of Justice or in the Legal Department. This is very satisfactory as far as it goes, but the House is entitled to be satisfied that everything possible is being done to trace any sources of waste which may exist and to enforce all reasonable economy. I can assure the House that this is the case, but in doing so I would wish first to refer to a remark made yesterday by the honourable member for Satara, Mr. Jadhav. He said that the retrenchment of 1922 was not a real retrenchment but that it was only omission of new items. This remark was no doubt founded upon a statement that has been made several times to the effect that a part of the retrenchment of 1922 represented merely postponements. In our private budgets, as well as in the State budgets, if we have to make economies we know that one of the ways in which we do so is by postponing, till the last possible moment, expenditure which from the first we admit and know to be inevitable. Therefore, it is quite true that in 1922 some expenditure was postponed which had to be incurred in 1923 or 1924 or 1925, but to proceed from that to say that the retrenchment was not real is inaccurate. I will ask you only to listen to a few figures regarding the Police. In 1922 we actually reduced from the existing strength 20 inspectors, 72 sub-inspectors, 1,480 constables and 701 head constables in the Presidency proper and 1,028 constables and

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head constables in Sind. These with other reductions of the same kind mean an actual reduction in recurring expenditure of Rs. 12,43,000. Now, after this sweeping reduction only a few years ago, it was natural that from all sides, from the public and in the press as well as from the police officers, there came a demand for an increase in the establishment, for bringing back some of the police stations, some of the outposts which had been abolished in 1922. Most particularly in Sind that demand has very great force, and I think all the honourable members from Sind who are present here to-day will agree with me that the reduction of 1922 went further than was really safe. In Bombay city, too, we hear every day that more police are wanted, especially in the northern part of the island where development, some say, is being delayed because the police are too few. In other great cities like Ahmedabad, there is a general demand for an increase of the police force. Therefore, when we are faced with a situation like the present where retrenchment is inevitable, it is obviously a very difficult task to undertake any further retrenchment, not only to refuse increases which we believe necessary but further to reduce the force which we think is scarcely sufficient to-day, and it has been necessary to undertake that work with the very greatest caution. Our Retrenchment Officer has had a very hard job. I continue for the moment to deal with the Police Department, but similar remarks apply to the other departments which are coming under his observation. He has had to consider what actual establishment exists in typical offices or typical districts; to see what expenditure they have to incur on rents, contingencies and all the other heads; working from that, to see whether in any other districts or in any other offices the expenditure can be regarded as excessive, and thereby to arrive at something like a standard scale of expenditure on establishment and on other matters. Such a general scale cannot be absolute, because conditions vary everywhere—in some places rents are high and in some places the cost of living is low, and so on, but it has been a general guide from which we have to work. And working on those lines is rather a slow and laborious business. Consequently, the coming year's budget does not fully indicate the work that has been done. At the same time, if you will look, you will see that under nearly all the big heads and many minor heads, you will find lump deductions. A part of these lump deductions is due to savings which occur naturally every year, and this year a very large part is due to proposals which have been made by the Retrenchment Officer which have been accepted in principle but have not yet been worked out in detail. I will ask you to take the police again. We have a lump deduction of not less than 1½ lakhs under the head of "district executive force, pay of establishment." We have, under Contingencies divided into many items, about one lakh more, made up of sums of Rs. 20,000, Rs. 5,000, Rs. 1,500 and so on, which come to something like a lakh. Under Jails, there are similar small items. Under Law and Justice, we find lump deductions under Sessions Courts of more than a lakh and a half, Sub-Judges Rs. 70,000 and on Establishment Rs. 50,000. A great deal of this is due to the work of the Retrenchment Officer. At the same time, I must not lose this opportunity of thanking the heads of

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the different departments. No head of any department likes to have his establishment cut down or the money at his disposal reduced. Many of them, the heads of the Police in particular, have very good reason to think that such reductions are inadvisable. Nevertheless, they have received instructions from Government and they have carried them out loyally. We owe a very great debt of thanks to Mr. Griffith, the Inspector General of Police, and Mr. Kelly, the Commissioner of Police, Bombay, and to other officers also for their wholehearted co-operation in carrying out Government orders even against their own opinion of what is wise, and for the very valuable suggestions that they have been able to offer us in the course of carrying out these orders.

The honourable member from Ahmedabad, Mr. Amritlal Sheth, referred to what he considered an abuse, waste and extravagance more particularly in the Dhanduka sub-division. In the old days the system in the Police was rather different from what it is now. We have now introduced the sub-divisional system very much on the same lines as the sub-divisional system in the Collectors' and Assistant Collectors' offices, and as a part of that system the status and the duties of the inspectors of police have been considerably altered and improved. Whereas these inspectors were mainly used formerly for detailed inspections of police stations and similar work, they are now for the most part employed on work in connection with crime such as looking after criminals, keeping watch upon gangs, upon strangers coming into their charges and that sort of work, and, at the same time, in supervising and co-ordinating the crime work of all the police stations in their charges. Now, the work of the assistant superintendent of police is of course very much wider than that. One of his main duties is certainly looking after crime and visiting scenes of serious crime, but he has a very great many other duties to perform. It is not really true, in the honourable member Mr. Sheth's eloquent words, that the assistant superintendent and the inspector "seldom meet ; they only collide." I think they at present work in very close association together, and we find that this system is working extremely well and economically. There are of course many other inspectors differently employed, but it is only to this particular class that the honourable member from Ahmedabad referred. He went on to say that if you are going to make reductions, you should not make them in the constabulary but in the higher grades. It has been pointed out many times before that the total pay bills of the officers bear a very small proportion to the total pay bills of the lower ranks.

Mr. A. D. SHETH : What is their number ?

The Honourable Mr. J. E. B. HOTSON : I have not got the numbers here, but I can tell you that the total pay of officers—superintendents, assistant superintendents, deputy superintendents and inspectors—from the figures that I have got here—comes to less than one-sixth of the pay of the lower ranks. So, it is clear that, if we have got to cut, we must cut, at all events in part, from the lower ranks ; otherwise, we can do very little. Nowhere is supervision more necessary than in the police. That is one of the lessons taught us more than twenty years ago by the

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Police Commission which came to look at our system. They saw that many of our police stations were in the hands of illiterate and uneducated men, and they found that the system was bad. From that day onwards we have been trying to improve the status of the men in charge of police stations. As far as possible, nobody is put in charge of a police station unless he is a sub inspector, and to go back from that and to reduce your inspectors or sub-inspectors, and leave the police stations in charge of illiterate men, would not be for the good of the people of the station. They would suffer if they had illiterate and practically useless men in charge of stations.

The honourable member Mr. Winterbotham referred to the comparison which has been made between the Calcutta and the Bombay police. Now, it is perfectly true that the Calcutta police is more numerous than the Bombay police. It is perfectly true that crimes are more numerous in Bombay than in Calcutta, but it would be a great mistake to proceed from that to the assumption that Calcutta is better off in this respect than in Bombay. Year by year, recently, the tendency has been for crime of a minor sort to increase in Bombay and for crime of a more serious sort to decrease.

An Honourable MEMBER : Why ?

The Honourable Mr. J. E. B. HOTSON : Taking the Indian Penal Code cases, the figures in 1925 in Bombay City were lower than they have been in any year since 1917, and the figures in 1926 were even lower than in 1925. The increase has been in the petty crimes, crimes under Local Acts and so on, and from that we are entitled to believe that the reason is not greater criminality but better work by the police, better registration of crime.

Mr. HOOSEINBHOY A. LALJEE : What about unemployment ?

The Honourable Mr. J. E. B. HOTSON : I am afraid, it is possible that unemployment has had its share in undoing the good work which has been done by other factors.

I think we have a better class of men in Bombay than in Calcutta, and that we may regard it as probable that a large part of the difference which has been alluded to is due to better registration of crime here than there is in Calcutta. I do not want to say anything which may be taken as a libel against the Calcutta police, but merely to offer an explanation which seems to us probable.

The honourable member for Karachi, Mr. Naraindas Bechar said that nothing has been done for the poor. I will just ask your attention to one item in the budget, the new item No. 101 on page 288 of the Blue Book, which is a grant to the Children's Aid Society. That is to carry out the object approved of by this Council when they passed the Children's Aid Act. We could do a great deal more, but this is a beginning, and it is a very valuable beginning ; and I would like the whole Council to see the value of it and to give it its most earnest approval and to remember that when we get more money we would like to do a great deal more than we can at present for all the classes that are poor, that are depressed, that are unfortunate and ill-used.

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It has been remarked that there is provision for 11 new recruits for the Indian Civil Service in this budget. That is because the 5 recruits that came out in 1926 are included in this number along with the 6 recruits that are expected to come out in 1927. So, it is not the case that 11 are coming out in one year; they are divided between two years, and in this period, from the 1st of January 1926 to the 30th of June 1927, there will have been no fewer than 12 retirements, and on the 30th June 1927 there will be several officers on leave preparatory to retirement. So that, by the end of December, when these 6 new recruits do come out, and the whole of the 11 that are mentioned in the budget are present, there will not be an increase in the strength of the Indian Civil Service; there will be an actual, and possibly quite a considerable, decrease in it.

Khan Bahadur S. N. BHUTTO (Larkana District) : Sir, after listening to the criticism offered during the course of the last two days by non-official members of the House and the defence put up by official benches, I am inclined to believe that the policy of the Government is no doubt most extravagant, but it does not mean that the Honourable the Finance Member deserves the condemnation that has been heaped upon him. I think that the Honourable the Finance Member deserves our congratulations. I think it is impossible for any financial expert in the world to amend the matters under the existing conditions, which will satisfy the House. Is the Honourable the Financial Member to shoulder the financial responsibility for the whole of the Government? Certainly not; the whole Government is responsible and if any one of us were placed in the same circumstances, I think, he would find himself helpless.

Sir, I would start with the Secretariat itself. I do not know how far it is true—I may be wrong—but my information is that the executive councillors, ministers and secretaries have no work, except during Council sitting. In olden days we had only two executive councillors, and hardly 6 secretaries. The administration was quite efficient. I do not know in what way the administration has improved by increasing the number of executive councillors, ministers and secretaries. The work that was done in olden days by the two executive councillors is now done by the seven members and ministers and there are secretaries, deputy secretaries under-secretaries, assistant secretaries and duplicate secretaries numbering nearly a dozen and a half, and the executive councillors, ministers and secretaries simply initial papers. The work actually is done by the deputy secretaries that was done in olden days by the then two executive members, who went deep into the bottom of only important cases having not got so many secretaries to entrust their work to them. Government ought to take all the non-official members of this house into confidence and I feel sure they will help the Government in carrying out retrenchment where feasible, without in any way affecting the efficiency of the administration. I would go a few years back and remind the Council of the result of the retrenchment committee of 1921. What a farce, Sir. An able officer, Mr. Maxwell, with a deputy was appointed a secretary with so many members of this House on the committee. The members of that committee investigated into the question of retrenchment very

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carefully for a period of only six months and submitted their report to Government. The recommendations made by that committee were thrown into the waste paper basket by a stroke of a pen. The little retrenchment that Government have carried out has been done in the wrong direction. Take for instance the Police. The committee while insisting on retrenchment in the Police Department they expected Government to do away with posts absolutely unnecessary which carry high salaries, and serve as only post offices. We wanted to do away with the higher posts such as the Deputy Inspector General and other intermediary posts. What Government have done is to begin the retrenchment from the bottom by cutting down the number of the police force constables. I am sure that nobody wanted this kind of procedure; the police force is already limited, and it is a constable who does the work, officials only supervise, while one sub-inspector should be considered more than enough; in each taluka, we find on occasions that by quarrelling with one another they allow the work to suffer. In rural areas police stations were abolished and in the case of thefts and decoities there was no police station near at hand to attend to them. If people complained of the reduction of police force, the officials of Government replied that they could not help. Council would not sanction the money, ask the representatives to give more money. We never wanted such kind of retrenchment; and it is most unfair to the representatives of the people and even to the Council, because we never asked retrenchment of this nature. Strange to say, what was done with the money saved by this wrong retrenchment. The Deputy Inspector General of Police in Sind was provided with a superintendent for his office and a separate personal assistant, and fancy, to supervise only half a dozen clerks in Deputy Inspector General's office in addition to a Head clerk, the superintendent's post is created. This is the kind of retrenchment and this is how instead of doing away with unnecessary posts, fresh posts were created to give easier times to the Head clerk and the head of police in Sind. A very great saving could be effected by doing away at all with the post of Deputy Inspector General in Sind. The Commissioner in Sind has got most of the powers of Inspector General of police, and by giving one assistant of the grade of District Superintendent of Police to the Commissioner, the work could be disposed of with greater efficiency. I really feel if the Government is sincere and serious they will be able to effect retrenchment, without sacrificing the efficiency of service, to any extent in all the departments. There is room for retrenchment in the Revenue Department. There are huzur deputy collectors and daftardars in each of the district with no work to do. Collectors have got head munshis for revenue work, serishtedars for criminal work and head clerks for general department. All the above three officials are responsible officers of the mamlatdars' grade and they are heads of respective branches. Where is then the necessity for a daftardar. He is there simply to favour and disfavour the people, and instead of helping the Collector often misleads him. As for huzur deputy collectors, when even there are branches of Imperial Bank, they simply yawn away their time. Head accountants

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are responsible for the work, huzur deputy collectors are doing nothing ; Government ought to provide some kind of work for them. They have been made at some places sub-divisional magistrates for the talukas to utilise some of their time by doing criminal work. Government can easily do away with these posts and supervising tapedars are quite unnecessary. They simply endorse what tapedars do. As regards the Public Works Department there are two superintending engineers, one for right bank and the other for left bank. They are only responsible officers and doing their work satisfactorily. After the completion of the Sukkur Barrage there may be a necessity for a Chief Engineer but at present there is no need for Chief Engineer, practically he has got no work, and there is no need to retain him. He is on the contrary an obstacle in the way of the Superintending Engineers, they having no free hand of discretion in the matters concerning their respective jurisdiction. The Begari canal district is the most important and big district in Sind, and there is one engineer, who can easily manage all the eight divisions it consists. If that is so, why should there be a separate engineer for Ghar district when the charge is so small. This district can easily be done away with amalgamating Sukkur canal with Shikarpur district and Ghar with Western Nara district. Government can easily save money by retrenchment in the directions I have suggested.

Mr. B. G. PAHALAJANI (Western Sind) : Sir, some of the points I wished to place before the House have been anticipated by the honourable member Khan Bahadur Bhutto who spoke before me : so, I have been saved the necessity of taking the time of the House on those points. A gloomy prospect has been taken by many of the honourable members of this House on this deficit budget, but I am not prepared to share with them that feeling. After all we have one admitted fact from the speech of the Honourable the Finance Member Sir Henry Lawrence last year, who told us that in 1922 we began with a deficit of 31 lakhs and a treasury without a pie, but within the period, from 1921-22 to 1925-26 we accumulated 5,75 lakhs in the balance. So that, although four years were shown as deficit years—I say four years, because only in one year of the five years that Sir Henry Lawrence managed the department there was not a deficit budget—this Government has accumulated a balance of 5,75 lakhs in its treasury. It may be a jugglery, as it has been called, I sincerely believe that the same jugglery will be practised by the Honourable the Finance Member. It is now certain that the expectations of the previous Finance Member have not come true. The year 1925-26 was held out to us to be a deficit year, but from the budget and from the budget speech of the Honourable the Finance Member we see that there is a surplus of 9 lakhs of rupees. Now, with this fact before us, that instead of having deficits we have accumulated 5½ crores of rupees as surplus, we cannot accept the statement of the Honourable the Finance Member and the honourable member the Finance Secretary as regards the present state of affairs. They have stated that the balances next year will be 1,08 lakhs, but in fact the balance next year will be 1,08 lakhs *plus* 1,23 lakhs which has been lent out to the Lloyd Barrage

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out of our savings. Honourable members will remember that last year, the honourable member Mr. Lalji Naranji and myself raised an objection against this giving away of our liquid balances to concerns like the Lloyd Barrage and the Back Bay Reclamation. It was the Honourable Sir Henry Lawrence who advocated the principle of giving away our liquid balances to concerns like the Lloyd Barrage whose success may be problematical. However, the honourable member the Finance Secretary has held out to us this consolation that the balance of 1,23 lakhs will always be available from the loan funds with the Government of India. The earlier it is taken out the better. This House will therefore remember that at the end of the year we shall have not 1,08 lakhs, but 2,31 lakhs as our balance. It was laid down in 1921-22 that the Provincial Government should never allow its ordinary balance to fall below 2 crores of rupees. There are other balances, such as the loan balances and the Famine Fund balances; but it was laid down that we should have at least 2 crores clear of all these balances. So, as long as we have got an ordinary balance of 2 crores, I do not think it is fair for the Honourable the Finance Member to call upon us to tax ourselves. I therefore urge this House not to get alarmed, but wait and see the result of the working until next year. This House should see from the accounts up to 31st March, what savings are effected and how far the forecast of the Honourable the Finance Member comes to be realized. We should wait till the end of this year and see how far the state of things is as stated by Government. This is a matter which this House will have to consider to-morrow when the proposal to perpetuate a new tax comes before them; this House will have to consider whether they should perpetuate the Stamp Act, and to-morrow it will be incumbent upon the Honourable the Finance Member and the honourable member the Finance Secretary to tell us whether the real figures would justify the perpetuation of the Act. To-day, it is only a general debate, and therefore I will bring this to the notice of the honourable member to enable him to supply figures.

It is now my duty to compliment the Honourable the Finance Member for having looked into every item of expenditure that is placed in the White Book. I must concede to him the credit of having done that, but I cannot concede to him the credit which at one time I gave him when he was a Minister, and that is that if he wanted a policy to be carried out he insisted on its being carried out. What I find in this budget is, that he has acted more or less as a very careful Finance Member, looking into each item himself so far as possible, and reducing items of expenditure proposed by the heads of departments, but he has not insisted on reducing expenditure on any definite principles, principles on which to reduce establishments after establishments and departments after departments, or to chop off unnecessary items of any department. Unfortunately, Sir, to my great regret and loss of admiration, the Honourable the Finance Member has not been able to assert himself in this budget. That is my complaint, and I sincerely hope that the Honourable the Finance Member, after he knows the views of this Council upon the question of retrenchment, will insist upon Government that the things

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he wants to be chopped off shall be chopped off. This is the time when the non-officials should rise in one body and support the Honourable the Finance Member, and tell him that they are determined to support him if he insists on the Cabinet reducing or chopping off certain items of certain departments. That can only be done by this part of the House retrenching generally upon the budget. Those honourable members who were in the first Reformed Council will remember that in 1921-22 there was a deficit of a crore of rupees, and in order to cover that deficit three bills were placed before the House—the Entertainments Bill, the Court-fees Bill and the Stamp Act Amendment Bill—which were estimated to produce a total of one crore. At that time, led by Sir Purushottandas Thakurdas and the honourable member for Ahmednagar, Rao Bahadur Chitale, the House by a considerable majority refused absolutely to give approval to the Entertainments Bill. The next day was a holiday : on the 27th of February, the present Finance Member, who was then a Minister, agreed to induce Government—and he succeeded in so inducing Government—to give up 60 lakhs of expenditure. That was the result then of this part of the House insisting on retrenchment and refusing new taxation. It lies, therefore, on this part of the House, if they wish, to compel Government to reduce expenditure. I know that Government will try to chop off the little vermin that sits at the foot of the poppies, but it is for the Honourable the Finance Member to insist that a general cut from top to bottom shall be carried out. He cannot complain that he has no materials before him, because he has before him the report of the Retrenchment Committee of 1922, that worked for 18 months, and which had as its Secretary Mr. Maxwell, for whom up to the present time I have great admiration for his sense of duty to the Retrenchment Committee. If the Honourable the Finance Member goes through the pages of the Retrenchment Committee's Report he will find exactly the same suggestions as were made by the honourable member for Larkana, Khan Bahadur Bhutto, namely, the abolition of the five Executive Engineers' divisions in Sind ; he will find there the suggestion to do away with two divisions in the Presidency ; and he will find there the suggestion to do away with the Chief Engineer. Not only will he find there the suggestions of the Committee, but also the evidence of the Chief Engineer himself, of the Superintending Engineer, and of Mr. Procs, the Government's Secretary, that those divisions were unnecessary. That is in evidence. Perhaps, the Honourable the General Member will say that that evidence is useless, but let me tell him that it is not the evidence of the non-official side on which the report is based, but it is the evidence of a man who represented Government at the time—the Secretary to Government—Mr. Procs. It is also the evidence of the Chief Engineer of Sind and the Superintending Engineer of Sind. You will find, Sir, that so far as the Police Department is concerned, there is ample material supplied to Government which will enable them to effect retrenchment. I think, the Honourable Mr. Hotson must have been in possession of that ample

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material. One more point I want to bring before this House. That is the remark made by Mr. Maxwell. He said :

"Up to March 1923 he did not know that a D. I. G. has any original powers, and that the duties of the D. I. G. were only to transfer Officers from one district to another. Sub-Inspectors from one district to another and look into the records and furniture that belonged to the policeman."

These are the remarks made by Mr. Maxwell.....

The Honourable Mr. J. E. B. HOTSON : I do not think Mr. Maxwell said to this effect.

Mr. B. G. PAHALAJANI : Yes, he did say so. I would refer the honourable member to the report of the Secretary of the Committee in which these remarks appear. I was the member of that committee and I know it. Now, Sir, I am not going to suggest at present any means of how and where to effect retrenchment in the administrative departments of the Government. It is for the Government to find out the ways and means. The Honourable the Finance Member is an Indian, and it is not necessary for us to tell him whether there should be a retrenchment in the higher posts or otherwise. He is an Executive Member of the Government and it is for him to assert himself and proceed with the work with the help of this Council which supports retrenchment. I, therefore, say, Sir, that it is not our function to propose to him on this question. The committee has kept sufficient material before Government and they should have retrenchment made where they find it possible. If they do not, I respectfully speak before this honourable House that this House has the power to compel Government to do so. We have to take into consideration the fact, that we have to meet interest of 29 lakhs and also 40 lakhs on the sinking fund. I exclude from these figures the question of the Barrage, because, fortunately or unfortunately, the interest payable under the Barrage does not come from the budget, but it comes from the Lloyd Barrage Capital Account, the loan itself, 10 lakhs, are only to be taken from the famine fund. The rest of interest is taken from the principal amount borrowed so that we have to pay interest upon interest, compound interest, on the money we borrow. So, we have not only 40 lakhs to deal with, but also we have to pay further interest at the rate of 6 per cent.

The Honourable Sir CHUNILAL MEHTA : I should like to know whether the honourable member gives amounts which are payable by Government.

Mr. B. G. PAHALAJANI : Yes. Now, Sir, we also find that Government have been spending money in building houses and offices out of these loans, which are unproductive items. I, therefore, put it to the House whether it is a right thing to do. I would request Government to give us a special day to discuss this question, as was suggested on the last occasion. But on that occasion full discussion could not be had, and as it is an important matter, we should be given another opportunity of discussing this matter of loans.

The honourable member the Finance Secretary went out of his way to defend the Government against the remarks of this Council that the

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curtailment should begin from the top. I would refer him to the figures given by Sir Henry Lawrence. He told us that 2½ crores were for the subordinate staff, 30 lakhs for provincial services and 10 lakhs for Imperial services. Now, I will take the menials, police constables.....

The Honourable Mr. J. E. B. HOTSON : Does the honourable member confuse constables with menials ?

Mr. B. G. PAHALAJANI : No. I mean only constables. What do we find there ? You find that 100 policemen make one Deputy Inspector General in respect of salary, and 10 Deputy Superintendents are equal to one Deputy Inspector General. You have to take other inferior officers who have been entertained out of 2½ crores, and what do you find ? You will see that the proportion of average number of these inferior officers will be 15 to 1 of the higher class. My time is very short and I shall have another opportunity of speaking further on this question, but I will now only put it to the Honourable the Home Member so far as the Police Department is concerned, to say whether from 1922 to the present day he has effected reduction in the number of higher officials above inspectors, or in the number of lower officers under the new police scheme. Before I resume my seat, I ask my honourable colleague and friend, the Honourable the Home Member, to go very carefully into this question, because when the police budget comes before this House, I intend to give him figures which will show whether the higher posts have been increased and the lower ones decreased.

Mr. W. S. MUKADAM (Panch Mahals District) : Sir after the grant of the new reforms to this country, this is the seventh exhibition of official jugglery organised by excellent experts and managed by the best brilliant brains of Bombay bureaucracy. Sir, the Honourable the Finance Member is the mouthpiece of the officials and he is asked to play this jugglery with his usual polish and silvery tone and tongue before this House under the special patronage of Bombay Government. Sir, on all occasions the fertile brains have tried to make futile efforts to convince the non-officials of the justification of all the expenditure, whether extravagant or real. Before I enter into discussion about all these affairs, I would like to draw the attention of this honourable House to two complaints which I made last time in my budget speech, (1) that the copy of this budget ought to be in the hands of the honourable members at least 15 days before the session begins, and (2) the Finance Committee should be called at least 10 days before the session begins. I suppose, Sir, and I remember to-day that the honourable member Mr. Wiles made a statement during his speech, so far as the question of my second complaint was concerned, that the needful will be done and the Finance Committee will be called earlier if the members so desire. I remember, Sir, that this promise was given, and this time, too, he has given it. But to my utter surprise the Finance Committee was called this time on the 16th and 17th of this month and, as we all know, the session began on the 18th. Sir, these requests were made solely with this view that the hardships of the non-official members might be removed. And they are not complied with, though one request was promised that it would

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be complied with. But it is not done, and I suppose there are two reasons for that. I can only surmise. One, that the honourable the Finance Secretary may have forgotten altogether the statement he had made....

Mr. G. WILES : No.

Mr. W. S. MUKADAM : And the second may be that he may have done it purposely or intentionally with some motive in view. As for the first, I may say, Sir, that I know the honourable the Finance Secretary Mr. Wiles for many years, even when he was the assistant collector in my district, because, Sir, my district is the training ground for all the new recruits (Laughter), and with my experience of him of the last few years, if I say that he has forgotten this, that would be doing him sheer injustice. I cannot blame him and it will be sheer injustice to him if I say that his memory is slippery. I know he is shrewd and his memory is very sharp. And then the second thing comes, and it might be this, that it may have been arranged with some purpose in view. If nothing serious or nothing else, at least for one point, namely, to prove to the non-official members of the House that "we are the powerful men in the House, you may speak, you may criticise, you may trouble your tongues in any language you like ; but we will carry out what we want to do." And I think that in this House up till now the officials have done what they wanted to do, and even in future I think they will be able to do, as they perfectly know that united they stand and divided we fall. As this is the exact situation, I appeal to the non-official leaders of every party in this House in the name of the country to unite, to throw up all the differences for the good of the constituency and muster strong and tell the Government unitedly and with one voice that the copy of the budget ought to be in the hands of the honourable members 15 days before the session begins and the Finance Committee ought to meet 10 days before the session meets. I think if this demand goes with vigorous voice and united voice, there is no power on this earth which can treat the national demand unitedly made with the present contempt and indifference. I hope the needful will be done by the members of this Council.

Now, Sir, for these two days old and new members of this House—so many of them—have criticised the Honourable the Finance Member. I wholeheartedly do not join with all of them, because, Sir, I have compared the present Finance Member with his predecessors, and I find that the Indian Finance Member is in no way second to his predecessors. But I would blame those members of the Council who have expected too much from this honourable member. It is their fault. They ought not to expect too much. Though, Sir, I never expected too much and anything extraordinary from him, at the same time, I never expected from the Honourable Sir Chunilal Mehta that he would dare to ridicule the congress mandate and belittle the swaraj party. I expected from him, Sir, as a sportsman that he is, a word of admiration for the discipline of the swaraj party. But instead of that admiration, I do not know with what view, as he is now in the seventh heaven, with what idea he has tried to whip the members of the swaraj party of the last year, and tried to ridicule the congress mandate and also the non-co-operation movement.

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It is all right for him. But I would bring one fact to his notice. Sir, it was the Indian National Congress, and that body alone, that raised the cry that Indians should be given due part in the administration of the country, and, Sir, if I mistake not, I say with all the force at my command that the Honourable Sir Chunilal's position to-day as a Finance Member is the outcome of that cry, and I say that he should believe that he is greatly indebted to that national assembly, I mean the Indian National Congress. Sir, with all these things, I cannot congratulate the Honourable the Finance Member for bringing this insolvent budget for the favourable consideration of this honourable House.

The people are bound to feel the pinch of the foreign Government when they are under a calamity, and this year's budget is a sort of a calamity on the poor people of this presidency. When the Honourable the Finance Member talks of the deficit and speaks with seriousness about retrenchment, I do not understand with what view and with what logic and philosophy he has accepted the proposal of importing eleven new I.C.S. recruits. When the question of new recruits has come forth, I remember a resolution passed by this Council regarding the pay of those poor pattawallas standing before you with folded hands, anxiously waiting to see what their masters on the other side are going to do for them for the slavish service which they do for 20 hours every day. It is a matter of great pity and regret that the Government do not find a farthing to make provision for a meagre increase in the pay of those pattawallas while they can make provision for eleven I.C.S. new recruits. But, Sir, here I remember one proverb that blood is thicker than water always. It pains me much to see that the big officials of the Finance Department have no soft corner in their hearts for those poor pattawallas who are serving their burra Sahebs actually as slaves. I appeal to you, Sir, in the name of humanity to imagine once again at least the agony of those poor hearts. Every day they are anxiously waiting to hear something about their pay. I hope Government will now open their eyes, if not for any one else, at least for the sake of those poor pattawallas whose services every day they are accepting with cheerfulness.

The Honourable the Finance Member now talks of retrenchment and we too talk of retrenchment. If there is any single item or point on which the whole House is unanimous, it is this point; not a single honourable member of this Council is against retrenchment. We are all unanimous, and if it becomes known that the Bombay Council is unanimous, both officials and non-officials, the whole world will be glad. But, Sir, so far as the point of retrenchment is concerned, we are all one, but so far as the method of retrenchment is concerned, we differ. If for the sake of unity the official benches would come round to our view-point, I think everything best could be done if they applied that pruning knife of retrenchment from the top and not from the bottom. My suggestions for curtailing the expense are these:—

1. No new recruit to any department of the presidency should be imported from without for at least six years;
2. The posts and establishments of all the Revenue Commissioners (including my Revenue Commissioner) should be abolished.

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3. All the posts of Deputy collectors should be abolished.

4. The office and establishment of the Chief Conservator of Forests should be abolished without a moment's notice.

5. The whole engineering department attached to the Forest Department should be abolished.

You, Sir, know very well how departments under departments have been created, and for what? They have been created for making provision for certain high officials, or say they are the white elephants at the door of the country, and those departments ought to be abolished. Why I say so is this. We have got a separate engineering department altogether. Engineering training is given to foresters and all officers above them up to the grade of Conservators of Forests. The men in the Forest Department can work up and if there is anything of special interest or requiring special intelligence and knowledge of engineering, the regular Engineering Department may be resorted to. Unnecessarily, to make some provision for favourites, this department has been created, and slowly Government developed that department by adding on to it one post of a temporary engineer; after some time two or three new posts are created and then that temporary engineer becomes the Chief Engineer. Then because he cannot cope with the work, you give him assistant engineers. Then they cannot work without the assistance of clerks and other establishment, and in this manner thousands and lakhs of rupees have had to be spent. In due course it becomes a separate department by itself, and then we get two distinct departments, namely, (1) Engineering Department (Forests) and (2) Engineering Department (Public Works). I think this will be the case because provision has to be made for all these people. If Government are going to have new establishment, my suggestion will be only one, namely, let us know frankly and freely how many such white elephants you are going to impose upon this presidency. Let us frankly know it, and this honourable House will try to vote a lump sum; you can then give them bungalows, let them remain in excellent localities. But in order to provide them, why do you impose upon us this big establishment and paraphernalia, travelling allowances and all those extras? Let us know once for all; open your cards and we shall also play our cards and we shall say that we are prepared to sanction that lump sum if you say that you want to impose upon this presidency so many people in order to make accommodation for them and to justify what they have done, you want to incur so much increased expenditure. One big Saheb, one big official, is provided and three or four or five clerks are given to the officer. People will think so many clerks are able to make a living but they will not know that as against five Indian clerks on Rs. 25 or Rs. 50 the officer will be paid a thousand or two thousand rupees per month under such high-sounding names as Saw Doctor as the honourable member knows.

After Recess.

The Honourable the PRESIDENT: Order, order. I find that there are so many honourable members who desire to speak, and the time is really drawing to its close. It is but fair that we should leave sufficient

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time for the Honourable the Finance Member to reply to the many compliments that he has received during the course of this discussion. I would therefore request honourable members to confine their remarks to 15 minutes, and even oblige the rest of the House by saving a few more minutes.

Mr. JAIRAMDAS DOULATRAM (Eastern Sind): Mr. President, after hearing all the speeches delivered during the last two days and a half, I do not propose to follow those who have warmly congratulated the Indian Finance Member, nor do I wish to follow those who have been equally warm in condemning him. It is no doubt true that in him we have an able Finance Member. It is equally true that the budget which he has presented this time is a budget which has aroused the keenest possible disappointment in the public mind. What might be the causes which have led to his presenting such a budget before us is not a matter in which I would wish to go at this stage, but there is one aspect of the budget to which I would wish to draw the attention of this House. I hold the view that in every well-ordered and civilised Government a stage is reached when the expenditure on what I may call the elementary or basic departments reaches a certain maximum. Those are the departments to which Government, of necessity, have to give their first attention, and I would expect that in the course of the last 100 or 125 years, during which time the British Government have been developing the basic departments, they have been able to achieve a high standard of efficiency in those departments. By basic departments I refer to the Departments of Law and Order, Police, Land Revenue, and certainly the General Administration. I do not contend that there may not be need occasionally of improvement or extension in the activities of those departments, as perhaps there is in the Police Department to-day. But, normally speaking, those are the departments with regard to which one would not find increased expenditure being budgetted every year. I believe there is a fallacy underlying the comparison of the expenditure on the transferred departments and the expenditure on the reserved departments. The transferred departments are those which deal with activities which are capable of almost infinite development. What do we find to-day? Let us take Public Health. I believe, I am not wrong when I say that the mortality figures of the Bombay Presidency would appear appalling, in comparison with those of any civilised country. If I mistake not, out of every 1,000 children born in this presidency, 162 die before they are 12 months old. What do we find in other nation-building departments? Take Education. I believe the literacy figure is 13·8 per cent. This shows that there is a very large scope for development. Let us take agriculture. Let us compare the outturn per acre in the Bombay Presidency with the outturn per acre in a country like America. The point I wish to make is that it is with regard to the transferred departments that there must be a constant pressure to increase the annual allotments. I find, Sir, that the Honourable the Finance Member in paragraph 26 of his speech has tried to show that

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expenditure on the transferred Departments has been increasing. He says :

" It has often been said that the reserved departments are allowed to obtain the major part of the revenues as their share while the transferred departments are allowed to languish and starve. This statement has often been refuted ; but it appears necessary to give the figures again, for the satisfaction of honourable members "

He has quoted certain figures in support of his claim. May I also venture to quote some figures ? I have taken the statement which gives the expenditure on all the subjects transferred and reserved according to the post-reform classification. I find that there has been from the year 1910 to 1921 an average annual increase of 2 lakhs in the expenditure on Public Health. When we take the post-reform period—in my opinion the post-reform period commences from 1922 and the budget for 1922-23 was the budget with which the reformed Council had anything to do and in which the ministers had first any hand—we find that in the year 1922 the expenditure on Public Health was 29·1 lakhs. In the Budget Estimate for the new year it is 24·8 lakhs. This is a decrease. Let us take Agriculture. The average increase in the pre-reform period has been 2 lakhs a year. What are the figures of the post-reform period ? In the year 1922 it was 29·9 lakhs and we come down to 29 lakhs in the ensuing year. Let us take the department of industries. The average annual increase was 7 lakhs in the pre-reform period. The expenditure figure for 1922 was 7·6 lakhs : and it has been brought down to one lakh in 1927-28 and it would appear that the fate of this department is hanging in the balance. Take another transferred department, Forests. The annual increase was 2·7 lakhs in the pre-reform period. In the year 1922 we spent 50·8 lakhs on Forests and the sum has now been brought down to 43·3 lakhs. In all these four departments there has been a decrease and to that extent I believe the statement of the Honourable the Finance Member that expenditure on the Transferred Departments had increased was incorrect. Let us take the three other transferred departments. In regard to Education, there was an annual average increase of 15 lakhs in the pre-reform period, but during the post-reform period the provision has been cut down to 7 lakhs. Medical and Excise Departments are the only two departments in which there has been a progressive increase in expenditure. What does this disclose ? That in all the departments given in charge of Ministers except two there has been a reduction of expenditure and in these two departments the rate of increase has been much lower than in the pre-reform period. It is only in the notorious Excise Department that there has been any substantial increase. In my opinion this state of affairs shows that the whole question of financing the transferred departments should be gone into systematically and methodically. There may perhaps be need to consider the proposal of a separate purse or some such arrangement for the transferred departments.

I would wish to go into further details with regard to the educational figures. If we take the figures of the current year and the ensuing year, we find that in the ensuing year there has been a set back. I hold the view that aided institutions occupy a most important place in our system

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of education. Government educational institutions contain 1·8 per cent. of pupils while the remaining 98·2 per cent. go to non-government institutions. If we compare the expenditure on Government institutions with that on the aided institutions, which, in my opinion, form the backbone of our educational system, we find that there has been a definite setback. I would refer the honourable member to page 172 of the Civil Estimate. Let us take the figures for collegiate education first and note the amount of grants to non-government colleges. We find in 1925-26 Government gave 4 lakhs (2 thousand). The revised estimates of 1926-27 show that the amount was cut down to Rs. 2,08,000 and now it has been further cut down to Rs. 1,87,000. With regard to Government colleges the figures are equally interesting. In the year 1925-26 the expenditure was Rs. 5,60,000 : in the revised estimates the figure rose to Rs. 6,20,000. In the Budget estimates for the new year the figure has risen to Rs. 7,24,000. There has been a systematic increase in the expenditure on Government colleges which cater for a very small percentage of pupils and there has been a decrease in the expenditure on aided institutions. Similar has been the case with regard to secondary education, which is more important than either collegiate or primary education and is in my view the corner stone of the edifice. What do we find ? Let us take again the figures for aided institutions. In the Revised Estimate for 1926-27 Rs. 12,66,000 is shown as grants for secondary education and this has been brought down to Rs. 12,18,000 for the ensuing year—a reduction of Rs. 48,000 with regard to secondary education alone. I contend, Sir, that if there is going necessarily to be any decrease in the allotment for transferred departments—the nation-building departments—you may make the cut anywhere else but you cannot in the department of education and least of all in the sphere of aided secondary education. I know the circumstance in which aided institutions have been starved as a result of the recent policy of Government ; they are starving and might wither and die before long. The administration of the transferred departments under such circumstances can only be a failure and it is in that light I want the House to examine the budget.

I would, in the two or three minutes left to me, draw the attention of the Honourable the Finance Member to a few suggestions for retrenchment. I find that Government have spent or proposes to spend Rs. 1,00,000 for additions to the Karachi jail to accommodate 180 additional prisoners. That means an average amount of Rs. 500 is being spent to accommodate one additional prisoner. I do not know how far that is necessary ; I do not know whether this cannot be called an extravagance.

Then I come to another suggestion. I hope my remarks will not be misunderstood. They are inspired by what has appeared in an organ of European opinion in this City. Being a member of the Congress party and of the Nationalist party, there may be a tendency on the part of some to misunderstand what I say. But I support those members who have expressed the view that we might begin retrenchment from the top. If we take the establishment of His Excellency the Governor, we find that

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there is a provision for a Band and a Bodyguard. There is an item of Rs. 52,000 for establishments with regard to the Band, an item of Rs. 7,000 for allowances to Bandmen, and another Rs. 6,000 for contingencies, and an item of Rs. 11,000 for rations, clothing and fuel for bands, which make up a total of Rs. 76,000 ; and for the Bodyguard we have a figure of Rs. 69,000 which makes a total of nearly Rs. 1,50,000. That is another direction in which there might be retrenchment. I also support those who expressed the view that we can easily manage with only two Executive Councillors and two Ministers. I would go further and say that the expenses of this Legislative Council even can be cut down in the shape of less allowances for members, both official and non-official.

These are some of the directions in which I would suggest retrenchment. There will be further opportunities to suggest retrenchment when the grants come up for discussion. But I really think that, politics apart, political parties apart, and any feeling of being an Indian or European apart, we have reached a stage at which we cannot starve the transferred departments in favour of the reserved departments. If we approach the question with an open mind, we shall discover many more avenues of retrenchment.

The Honourable Mr. G. B. PRADHAN : Mr. President, in the first place, I must express my gratitude to the members opposite for the very considerate manner in which they have treated the departments under my charge, considering that I am absolutely new to them. But certain statements have been made in this House, and I feel it my duty to correct them.

I will begin with the expenditure on Excise to which reference was made by the honourable member Dr. Ambedkar. Now, I will not go so far back as he has gone, namely, up to the year 1910, but I will begin with the year 1921-22. It seems that the expenditure has gone up from 28,8 lakhs in 1921-22 to 47,7 lakhs in 1927-28. That is what it looks at the first appearance. In the first place, I may assure honourable members that this increase is not real ; it is greatly due to a change in the system of keeping accounts. Formerly, in several heads such as opium and distilleries, only the net revenue used to be shown : but the Auditor General found fault with that system and a change had to be made ; and I will satisfy the honourable member that the real increase in the department's expenditure is not as large as 19 lakhs as is imagined. From the difference between the figures shown against 1921-22 and 1927-28, namely 28,8 lakhs and 47,7 lakhs, it may appear that there is an increase of 19 lakhs. But this includes also Sind. Excluding Sind. the real increase, as it appears, is 17,7 lakhs. Now, I will show to the honourable members how they came to make the mistake owing to the change in the system of accounting.

An honourable MEMBER : Who made the change ?

The Honourable Mr. G. B. PRADHAN : The Auditor General.

As regards opium formerly, only the net profits were shown. Now, on the revenue side all the profits have to be shown and on the expenditure

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side all the money that has to be paid out by the Government has to be shown. So that is merely a debit and credit entry. That accounts for 12,20 lakhs. As regards distilleries, honourable members are aware that Government have their own distilleries at Khanapur, Nasik and Dhadgaon. Formerly, the revenue and expenditure of these distilleries were never shown separately; only the net profits were shown. But now, the establishment charges and all expenses are shown on the expenditure side and the gross revenue is shown on the revenue side. That accounts for 1½ lakhs. Then there is the compensation paid to the Indian States. Now, the Indian States do not fall into line with the policy of prohibition which has been recommended by this Council, and the result is that their excise revenue increases and corresponding compensation to a larger extent has to be paid to them. That accounts for 2½ lakhs of rupees. If you total these sums, opium 12,20 lakhs, distilleries 1½ lakhs and compensation 2½ lakhs, that brings the total to 16,20 lakhs. Now, taking the total difference as 17,70 lakhs, we get only an increase of about a lakh. Honourable members will see that there is only an increase by one lakh or so, although, as a matter of fact, last year they sanctioned an additional expenditure of 1½ lakhs for preventive staff. Therefore, it will be seen that in spite of a sanction of an additional 1½ lakhs last year owing to retrenchment the total expenditure has gone up only by one lakh during a period of four or five years.

My honourable friend Dr. Ambedkar also referred to the Deputy Excise Commissioner's post. Originally there were three posts; one was abolished; then there remained two. One was transferred to the Salt Department, and then there remained one. There was a personal assistant, and the personal assistant had a staff of his own. Now, that post of personal assistant is abolished. Now, I hold in my hand a statement, and if any honourable member looks at that, he will find that the result of this arrangement is a saving of Rs. 25,000. They are welcome to see it.

Then, certain remarks were made as regards the money spent *per capita* in different provinces of India on liquor. If my honourable friend Dr. Ambedkar had been pleased to tell us the quantity of liquor consumed per head that would have been a more satisfactory calculation. The Bombay Government having accepted the policy of prohibition, the price has to be pushed up, and if the price is pushed up, then necessarily the expenditure on liquor per head will increase. So, we have got to see the quantity consumed per head in the Bombay Presidency. In the year 1922, three methods were adopted by Government for curtailing the consumption of liquor, and I would like to lay the net result before you. In the year 1920-21 in the Bombay City the consumption of liquor was 8,36,000 gallons, and in the mofussil the consumption in 1920-21 was 17,79,000 gallons. Then came the policy of rationing, reduction of the number of shops and restriction of the hours of sale. The reduction in rations was 10 per cent. in the Bombay City and Island, and 5 per cent.

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in the mofussil. This is the net result as regards Bombay City and Island :

		Rationing	Consumption
1922-23	..	7,29,000	6,24,000
1923-24	..	6,54,000	5,65,000
1924-25	..	5,77,000	5,55,000
1925-26	..	4,72,000	4,37,000
1926-27	..	4,45,000	..
1927-28	..	4,23,000	..

The honourable member will find that since 1921 up to the present year the consumption has been brought down by 50 per cent. in Bombay Island. The mofussil figures are that in 1922-23, rationing was 16·52, consumption 11·57; 1923-24 rationing 15·75, consumption 11·30; 1924-25 rationing 14·77, consumption 25·00, 1925-26 rationing 14·12, consumption 9·69; 1926-27 rationing 13·22 and 1927-28 rationing 12·66. Thus in the mofussil the consumption has been brought down by 33 per cent. . . .

Mr. N. A. BECHAR: What about foreign liquor ?

The Honourable Mr. G. B. PRADHAN: I am not in possession of those figures. As regards foreign liquor, the provincial Government has no control on that. But this Government is not prepared to say that there is not illicit distillation or there is no consumption of cheap foreign liquor. And it is necessary for me to say that there is no check on foreign liquor; you also know we have to keep an alliance with the Indian States as regards excise rights, and the Bombay Government cannot insist on the Indian States on the question of country liquor. Now, as regards the strength of the liquor it has been brought up from 20 to 40 and 40 to 60 u.p.

The Honourable the PRESIDENT: The Honourable Member has only two minutes at his disposal.

The Honourable Mr. G. B. PRADHAN: I will try to finish it early. I have started only at five minutes to five but if you, Mr. President, ask me to finish it now, I will do so.

The Honourable the PRESIDENT: All right. Try and finish your speech early.

The Honourable Mr. G. B. PRADHAN: Besides, the time for keeping the shops open has been changed. The shops are closed at 9-00 p.m. and are opened at 10-30 a.m. in Bombay. In Poona they are closed at 7-30 and the rest of the presidency at 8 o'clock. These are the different steps the Government has taken with regard to adopting the policy of prohibition which has been recommended by this Council. But you have also to take into consideration that a large amount of revenue comes from this source, and the Government has to consider the financial aspect of this question when giving effect to the recommendations regarding the prohibition policy. You are aware that a Committee was appointed with Sir Joseph Kay as a Chairman, and that committee's report has been just

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received by Government. I, therefore, ask honourable members to take the financial question into consideration, but it has not deterred Government from taking immediate steps towards reaching that goal.

As regards "Registration," I have to tell honourable members that a bill in this connection which is on the agenda will not be brought forward in this sitting but will be brought before this Council at the Poona session. But in the meantime I request them to have a look at the photographs, because a different system has been followed at present. Mr. Anderson will be ready and willing to show them to honourable members and will explain everything as regards saving in costs, etc. These photos also do not fade. And honourable members will get ready by the time the bill is brought before the Council.

As regards Forests, honourable members know that a committee was appointed to enquire into this question and their report is out. I was told by the honourable member Mr. Mukadam yesterday that the members did not get the copy of this report and I have issued instructions to distribute copies of this report to honourable members.

Mr. W. S. MUKADAM : The copies are already for sale in the market.

The Honourable Mr. G. B. PRADHAN : Well, I was told only yesterday about this matter and I have sent a word to-day to distribute copies.

As regards the other two departments, Co-operative and Agricultural there was no criticism as regards the Co-operative Department, but as regards the Agricultural Department, some figures were quoted by honourable members, but as I have no figures at present in my possession, I cannot deal with them now.

Rao Saheb D. R. PATIL (East Khandesh District) : Sir, though the Honourable the Finance Member is not here, still I offer my hearty congratulations to the Honourable Sir Chunilal Mehta on his elevation to the "gadi" of a Finance Member. I do so for two reasons. First, because he is an Indian and again because he is the first Indian to occupy that position which he so richly deserved to occupy, and secondly, because it is during his regime that a Retrenchment Officer, namely, Mr. Shillidy, has been appointed to apply the pruning knife of economy in various departments. Fortunately the Honourable the Finance Member has succeeded in securing some cuts in some departments and we are also assured by him that some more retrenchment will be effected. No doubt, Sir, I am bound to say that the budget is far from satisfactory, but I am not prepared to attack the Honourable the Finance Member to the extent to which he has been attacked by other Honourable members.

This budget which has been presented some time before, that is, during this session, is a deficit budget, but it is bound to be so, Sir, because the reasons are very clear. And what are those reasons? There are three reasons to my mind. The first reason is that the system of Diarchy is responsible for this deficit budget, because we cannot touch the Reserved Departments. The second reason is that the Government have committed certain acts of "commission and omission" in the past. By acts of omission, I mean that the Government did not try very seriously to secure possible cuts in various departments, as the Honourable the

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Finance Member is trying this time to secure some cuts through the Retrenchment Officer, Mr. Shillidy. When I refer to the acts of commission, I mean the acts on the part of Government in embarking upon huge schemes such as Back Bay Reclamation which it is now clear have proved to be a failure. My submission is that before undertaking such huge schemes, Government must think twice before spending public money after big schemes. Perhaps, Back Bay Reclamation scheme might prove beneficial to some rich people of Bombay, but I think if that money was spent after a scheme which would have been for the benefit of the agriculturists, I am sure some real good had come out of the public money.

Again, Sir, there is a third reason for the budget being a deficit budget. And what is that third reason? It is the Meston Settlement. This Meston Settlement was made before the reforms were inaugurated, and now we find that there is rule 15 of the Devolution Rules. I shall read that rule, Sir, for the information of this House. That rule says :

“Wherever the assessed income of any year subsequent to the year 1920-21 exceeds in any Governor's Province or in the Province of Burma the assessed income of the year 1920-21, there shall be allocated to the Local Government of that Province an amount calculated at the rate of three pias in each rupee of the amount of such excess.”

That is to say, whatever income from income-tax is received by this presidency, necessarily goes to the Government of India and we are to get in return only three pias in each rupee. But the datum line is there. The time when the datum line was fixed was a boom year, and since the time that the datum line was fixed we do not get any improvement in the income that was received by this presidency in that year. Therefore, we do not get a single farthing out of the income-tax from the Government of India in the light of that rule. And I am sure that we shall never get a single farthing unless and until this rule is revised. Therefore, I submit, Sir, that the Government should try their best—I know they have approached the Government of India—but they must still again try to see that the Meston Settlement, which has really created a mess in the administration, and I say, therefore, it is a mischievous settlement, and that settlement should be necessarily revised as early as possible. Now, when we have got a deficit budget, what are we to do? What is the remedy? We are paying every year 56 lakhs to the Government of India by way of provincial contribution. I believe two years ago the Government of India were pleased to give us remissions to the extent of Rs. 20 lakhs or so. But when we have got a deficit budget and when we have been placed in such embarrassing circumstances, I think the Government of India should be pleased to give us the same concession in the matter of remissions of provincial contributions. Now, under these circumstances, when the Government of India are not willing to help us, what are we to do when we have got a deficit budget? The only remedy open to us is to effect retrenchment as far as possible, and we must make the Government of India think that the representatives of the people are willing to help Government in the matter of taxation provided also that the Government of Bombay also co-operate with us in the reasonable demands of the people. Our reasonable demands are :

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Try to effect retrenchment as far as possible, and if you do not succeed there, try to see that the Meston Settlement is revised, and if that does not help you, approach the Government of India not only by petitioning and protesting, but let them understand perfectly well that the Government of Bombay will not have recourse to any taxation unless and until justice is given to Bombay in the matter of provincial contributions. I think, Sir, that is the possible way to get out of the whole difficulty. We on this side of the House are willing to co-operate with Government. When we find that the Government of Bombay have tried their best to improve their situation, I think it will be our bounden duty to help the Government and support any measures of taxation which they will be pleased to put before this House till the taxable maximum is reached. But unless and until that is done, I think we shall be doing injustice to the people of this presidency if we were to accept any proposals of taxation.

So far as retrenchment is concerned, I would like to submit that the Legislative Council of Bengal refused to have a third Minister. Now a third Minister has been appointed here. And we cannot quarrel over that. The only question that remains, if the Ministers agree, is that they should be pleased by following the advice of the "Times of India" to lead a simple life to agree that their pay should be reduced by half. They are getting for the present Rs. 4,000 a month. I think they should be satisfied with Rs. 2,000 a month. I know that will be a big loss to them so far as their luxuries are concerned. But we want those persons to be Ministers who really want to work for the good of the people, and if this motto is remembered by them, I am sure that this proposal will be acceptable to them. Now, so far as the reduction of the Executive Councillors is concerned, that is a reserved subject ; so I do not want to touch that.

I would like to say, Sir, that the Government of Bombay is very liberal in giving grants to the university as compared with the grants given for primary education. In the year 1926-27 the budget estimate for grant to university was Rs 67,500 and for the current year, 1927-28, it is Rs. 1,22,500 and if we look to the figures of primary education, it is raised only by Rs. 75,000 or so. So my contention is that we should be liberal towards the promotion of primary education. I am not against giving grants for university education. But my point is that the university education should not be encouraged at the cost of the primary education.

Now, Sir, in the interest of agriculturists I would propose two or three things in a minute or so. A Forest Committee was appointed ; they did their work and submitted a report ; the report was published, and nothing has been done. People say Government appoint committees and receive reports and do nothing. Again the Land Assessment Committee was also appointed : they met and discussed, and submitted a report. And nothing came out of that. That is also bad. Let Government do something for the people, and my submission is that the real boon to the country would be the permanent settlement. Again in the interests

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of the agriculturists let the Government spend some money in opening mortgage banks so as to relieve these agriculturists from debts. They are now in the clutches of Indian Shylocks, and if Government want to do anything for them to relieve them from their miserable plight, let them open mortgage banks.

The same thing as applies to other committees also applies to the Anna Valuation Committee. Nothing came out of it. The anna valuation is a decisive factor in deciding the question of remissions and suspensions. Remissions are really good : suspensions are no good, though they give partial relief.

Government give certain grants to local boards, but they have fixed certain proportions. The result is that rich local boards become more rich and the poor local boards get poorer. So let that rule of proportion be dispensed with and let the Government give their grants to the local boards according to the strength of their purse.

Khan Saheb ABDUL LATIF HAJI HAJRAT KHAN (Poona and Sholapur Cities) : Sir, in the first place, I offer my hearty congratulations to the Honourable the Finance Member for the very lucid way in which he has prepared the budget and also for his very able speech in explaining the financial position of this province. I am warranted to say this by a very careful study of the last three years' budgets. No doubt the present budget is a disappointing one. It is a pity that since the introduction of the Reforms we always start with a deficit budget. Not only that, but we are also drawing upon our savings, our accumulated balances, very largely. Sir, it is a great mistake to squander our balances in making up the deficits year after year. Our sources of revenue are limited and every year expenditure increases in one form or other.

As regards the revenue from Excise, as a God-fearing Muslim I say that my heart sinks in me when I vote for revenue from this source. This source of income somehow must be done away with. When, Mr. President, you were in charge of the Excise Portfolio we Muslims of this Presidency were expecting eagerly that you would take steps to put a stop to the liquor traffic which is according to our religion "*Haram*," but unfortunately nothing transpired during your regime.

As regards Muslim education, the less said the better. No serious effort is made to encourage it. Unfortunately the Education Portfolio remains in the charge of Ministers who are ignorant or even unmindful of the Muslim educational wants. Sir, one Minister cares for Marathas, another for Brahmins, and the third for Gujarati Hindus, but none for Muslims. To give you an instance, Sir, since 1925 I have been tabling a resolution recommending Government to open an Anglo-Urdu Middle School at Sholapur looking to the acute position of Muslim education of that district. I also understand that all the big authorities with one voice recommended it very strongly, but I find with regret that a provision of even Rs. 2,000 has not been made in a budget of fourteen crores. In my opinion the Education Minister seems to be deaf to our Muslim wants and is sitting like a dummy. He does not even.....

The Honourable the PRESIDENT : Order, order. Better language should be used.

Mr. W. C. MUKADAM : I rise to a point of order, Sir. Are those words parliamentary ?

The Honourable the PRESIDENT : I think, after all, the honourable member, Khan Saheb Abdul Latif, will be well advised to withdraw those words.

Khan Saheb ABDUL LATIF HAJI HAJRAT KHAN : I withdraw those words, Sir.

As regards the Famine Insurance Fund, I think it is not necessary to set apart a large sum from revenue. With so many irrigation works and railways there will be no fear even if there occurs a big famine. A sum of Rs. 30,00,000 is quite sufficient : as mentioned by the Honourable the Finance Member, the Government of India should be approached to amend the Act.

Several honourable members have suggested retrenchments and so I hope I may also be permitted to suggest a few. I say that in Sholapur there should not be two sub-divisions of the Public Works Department. I suggest that the sub-divisional office which takes care of irrigation should be maintained and the Sholapur sub-divisional office should be abolished. According to my opinion that will not impair the efficiency of that department.

As regards the Sholapur district, there are two sub-divisional offices, one at Barsi and another at Pandharpur. These two offices should be located at Kurduwadi, which is a central place. In this way substantial retrenchment can be made in Sholapur city as well as in the district, without impairing the efficiency of the district concerned. With these few words, I resume my seat.

Mr. RAJMAL LAKHICHAND (East Khandesh District) : (Addressed the House in Hindi) : Mr. President, before coming to the Council I had hoped that by going to the Council I would do some work of public utility. But from the budget seen here it is found that there is no sufficient money for the work that has been undertaken, then what to talk of new works ; well. In the budget two lakhs less than in the previous year have been shown for Public Health and a lakh or a lakh and a quarter has been demanded for the Abkari. It is not good that there should be less expenditure on matters which are necessary. Further no expenditure, in my opinion, should be incurred for Abkari. The Abkari Department should be done away with. It is the intention of Government that people should not take to liquor, *Ganja* or *Bhang* and that no one should be intoxicated. Uptil now liquor was made dear so that the people might leave the habit, but the experience is that they did not leave it but owing to its dearness the people have become poverty-stricken; and so this department should be done away with, and in order that they might not make use of these substances the duty of keeping a check should be entrusted to the police. In order that there should be no heavy burden of work on the police the duty of protecting the public might be entrusted to some of the public and they might be given arms.

[Mr. Rajmal Lakhichan:]

Secondly as regards education, it should first be given to the Bhil, Ramoshi, Vadar, Mang-garudi and others who are criminal tribes. Their condition is very bad. For generations they have been in a miserable state. No education having been given to them assaulting and beating (others) have been their profession. At day time to go fishing and kill the deer, hare, bear, boar, etc. and at night to commit theft, robbery on the high-way, to assault persons, these are their profession. Therefore if industrial education is imparted to them and in that if training is given to them to weave Khadi, to spin and to card cotton they would become happy. And there being no thefts, etc., from our houses and on the road we also should be happy. Special arrangements should be made for their education. And those employees who are supplied with clothing by Government should be given clothes made of Khadi so that the poor might get their livelihood and the increasing unemployment in the country would cease. Thirdly in order to meet the deficit that has been shown in the budget the pay of all those (Government) servants who draw more than Rs. 200 should be reduced by half. Before doing this the Zoolum that is being practised by the Forest Department on the agriculturists and timber merchants should be put a stop to.

Mr. NOOR MAHOMED (Hyderabad District) : Sir, I have carefully listened to the very captivating speech of the Honourable the Finance Member in which he has chosen to indulge in some digression, and I am very glad to say that we have also had equally good fortune to have had an opportunity of listening to what the honourable member for Satara had to say. The honourable member Mr. Jadhav has had good opportunities of working the reformed constitution in conjunction with the Reserved Half of Government in company with the Honourable the Finance Member and his honourable colleagues in the Cabinet. He has therefore had an opportunity of knowing the inner working of the mind of the Government. He has, I am glad to say, survived the attacks of the last three years. He knows how offers were made and offers accepted, and how bargains were struck for carrying on the administration of the Presidency. The Honourable the Finance Member has chosen to make a deliberate reference to what happened during the last Ministry, and in all seriousness I would ask the Honourable Ministers who occupy the front benches and their followers to take timely note of the warning. The Honourable the Finance Member has been pleased to say :

Those in power cannot be blamed if they are compelled to seek support on the only terms on which it is available, nor their supporters who are led to believe that the above considerations will best serve their immediate interests."

Sir, that is the epitaph that will be written on the tomb-stone of any Minister, whether he be the Honourable Dewan Bahadur Harilal Desai, or whether he be the honourable member for Satara (Mr. Jadhav). The Government of Bombay wants to grind its own mills. It cares little whether the miller is a Brahmin or a Sudra, whether he is a Sindhi Muhammadan or a Deccani Muhammadan, whether he is a Brahmin or a Non-Brahmin. Therefore, I trust that the Honourable Ministers will kindly take note of this warning, and grind the mill in the interests not

[Mr. Noor Mahomed]

of the reserved departments, but in the interests of the population of this Presidency. I would not have said all that I have said, except for the fact that in this budget I find that the Government has chosen to decrease the scholarship fund for the backward communities by the huge amount of Rs. 51,000. I do hope that our Indian millers on the Government benches will grind the mill in the interests of all the communities, be they advanced or be they backward. [Interruption]. I was not able to understand what my honourable friend the member for Karachi said, but I believe he is a nationalist, and wants to be a general miller. [Interruption].

The Honourable the PRESIDENT: Order, order. The honourable member will please proceed.

Mr. NOOR MAHOMED: The Honourable the Finance Member has given us two reasons for the abnormally large expenditure that has been incurred *per capita* in this Presidency, namely, the low density of the population and the largeness of the area involved in the administration. I accept unreservedly these two reasons, and I would therefore beg the House to consider whether or not it is possible to readjust the present unnatural geographical combination that goes to make up the Bombay Presidency. Sir, you will find that the present Bombay Presidency runs along the coast line from Jacobabad to Ratnagiri, and there are in it the Maharattas of Maharashtra the Gujaratis of Gujarat and the Sindhis of Sind; and God never intended these people to be together. It is by mere accident that we come to be together, and the honourable members of this House would do well to consider whether it is not proper for us to mutually agree to separate, so that, in future, we may not come and sanction away large sums of money for the Back Bay, and they may not come and sanction away large sums of money for the Sukkur Barrage. We believe in the all-powerful Government and they also believe in the all-powerful Government, but we and they are always wrong.

Coming to the Sukkur Barrage, I must say that posterity will not have very kind words for those who, in all their hurry, sanctioned away this project, without examining it in all its details. The Sukkur Barrage was intended to cost Rs. 18 crores, but, Sir, my information is that already the estimates have gone up and are somewhere in the neighbourhood of Rs. 32 crores. If that is so, I fear there will be bankruptcy, which of course, the Honourable the Finance Member is trying his best to avoid. If the bankruptcy does not come in his time, it is bound to come during the term of office of his successor in office. Therefore, it would be well for us to consider this scheme.

Sir, it is said that we have got Reforms, but so far as we in Sind are concerned, we have got no reforms. The powers of the Government of Bombay, the powers of the Governor in Council are delegated to the Commissioner in Sind. Who, Sir, is for us? The Honourable Mr. Rieu, the Revenue Member is for us! The Honourable the Home Member is for us! The Honourable Dewan Bahadur Desai, the Minister for Education is for us. The Honourable Mr. Pradhan, the Minister for Excise is for us, and the Honourable Sir Ghulam Hussain Hidayatallah

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the Minister for Local Self-government is also for us. Therefore, when there are Reforms, and we have not got Reforms, is it right for us Sindhis to continue to be linked with the Bombay Presidency? Of course, there are difficulties. I recognise there are difficulties. There will be difficulties in the Government of Bombay accepting a proposal for the separation of Sind from the rest of the Presidency, because in that case Bombay would lose its importance, it would no longer be a major province. But we have to consider why Maharashtra should not be separate by itself, and why Gujarat should not have its own Government House at Ahmedabad, and why Sind should not have its own separate administration. These are all questions which, I trust, will engage the attention of the honourable members of this House, so that we may prepare ourselves for the next Reforms Commission, of which the Honourable the Finance Member and no less His Excellency the Governor have given us timely warning.

Mr. S. C. JOSHI : Mr. President, after the able and intelligent speeches that have been made and the various criticisms of the budget that have been offered, I shall be very brief. I must frankly admit that after a study of the Blue Book and the White Book I have become both wiser and a sadder. I have become wiser and sadder because I have found that the financial policy of the Government is to tax the poor and benefit the rich. That ought not to be the policy; it should be otherwise, namely, to tax the rich and benefit the poor. I have become sadder because I have also found that there is utter disregard for the interests of labour. Labour, I find, has been ignored. I find in the Blue Book and the White Book very little that relates to labour. I find in the Blue Book, that the Labour Office, which does some work for labour in the Bombay Presidency has been grouped only under the minor head of Miscellaneous Department. The Labour Office, as at present constituted, is doing the only work of collecting statistics and is not in a position to put forward any constructive proposals and to do anything practical for the betterment and advancement of the labouring classes.

Sir, one would naturally feel inclined to ask why Government are so very apathetic towards the labouring classes. Do they not pay taxes and pay their mite to the state coffers? The answer is: Yes, they do in a greater degree. In the words of the Honourable the Finance Member "our three main heads of revenue are Land Revenue, Stamps and Excise. These three heads contribute 11 crores out of the total revenue of 14½ crores, that is, 75 per cent. of the total revenue." The largest shares of these three heads of revenue is paid by the agriculturists and the labouring classes. The labouring classes are recruited from the agriculturists, because the agriculturists after harvest time do the work of labour. These poor masses are paying too much to the State coffers.

Sir, one more circumstance we find is that the city of Bombay alone yields Rs. 1,25,15,909 out of a total revenue of 1½ crores from Excise. What is the return the labouring classes get? In the city of Bombay, we find that education, sanitation and public health are looked after by the Bombay city municipality and Government have not to spend

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anything special on these purposes. Naturally the question arises as to what should be the position of labour under these circumstances? We find that the position of the labouring classes is very pitiable. We find that their wages are meagre. We find that labourers employed in the textile industry are dismissed summarily without any reason, their wages are reduced without any intimation to them, and they are subject to very heavy fines and their wages are forfeited. They are not entitled to any kind of leave. Further, we find that their housing accommodation is very insanitary. Above all poverty, illiteracy and indebtedness have reduced them to a miserable state.

The same state of affairs applies in more or less degrees in the case of the peons and menial staff in Government service. In spite of the resolution passed last year in the Council, recommending higher pay and higher pension to them, we find that their pay remains unaltered and their pension still remains at Rs. 4 after a faithful service of 30 years or above. Sir, not only that, we find that the Honourable the Finance Member has added insult to injury. He made a suggestion to the House to retrench the pay of the menial staff. The same is the situation with regard to the clerks also.

Under these circumstances I should have expected Government to do something to make some provision for imparting adult education to the labouring classes; so also some provision for maternity benefits. I should have expected Government to do something in this budget for the appointment of a committee to investigate into and settle industrial disputes. We find that strikes are going on. There are so many things that could have been done. As the time at my disposal is very short I will only say that Government should begin retrenchment from the top, and if necessary tax the rich for the benefit of the poor.

Mr. MIR MAHOMED BALOCH SHAIKH (Karachi City) (Addressed the House in Urdu): Sir, we hear to-day that various parties based on communal spirit have been started within the Council and members of each party work for the welfare of their community disregarding the interests of other communities. In my opinion this state of affairs is detrimental to the interests of the people and the country as a whole. There have sprung up the Hindu Maha Sabha party, the Muslim party, Non-Brahmin party, etc., whose existence is certainly deplorable inasmuch as they tend to develop communal spirit at the cost of Nationalism. We should submerge this communal spirit and work together for the common benefit and betterment of the country. The appointment of the Ministers solely is in the hands of the Government, and the fortunate gentlemen, who are appointed as Ministers, care very little for the public opinion and they become instruments in the hands of the Government. In the presence of the communal party spirit, every Minister tries to please his community, on whose support and votes his appointment depends. I have absolutely no objection to the fat salaries which our Ministers draw, but what is required of them is that they should cherish first the public good at heart and should not work as willing instruments in the hands of the Government.

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I was very glad to learn that the finance portfolio was entrusted to an Indian in whom we had very high hopes. We had expected that he would pay more attention to the people who were in starving condition, and would not be guided by the Government. But all our hopes and expectation in him have been frustrated, and to our utter disgust, we find there is no improvement in the budget, but it is rather more distressing than the one which was presented last year by his European predecessor. We had expected that he would give more money for Education, Medical Relief, and Local Self-Government, but to our disappointment, these departments have been neglected as usual. We expect that our Indian Members in charge of some portfolios and Ministers should enforce the public demands and in case they are not heeded they should at once resign to impress upon Government the fact that they stand by the people and the country ; but if they have no courage even to express the public opinion, they are unfit to occupy positions of responsibility, and they should not entertain any ambition for the loaves and fishes awarded by Government. The British Government had been established in Sind in 1843, and since then upto this time only 4 or 5 per cent. of the total population have been educated. If we educate our people at this rate I think two or three thousand years will be required to bring education within the reach of all the people. Government does not realise the important duty of educating people, and it supplies in a niggardly way only 2 crores of rupees for this sacred purpose. Out of one rupee of income, Government spends about 2 annas or so on education. Almost all the civilised countries in the world provide nearly 50 per cent. of the income for education, and the Indian Government is the only solitary example in this respect. Owing to lack of education criminality among the people is increased. They commit robberies, they become thieves, and they begin to harass Government. Government will be relieved of all these troubles and will have to spend less money on police and jails if the people are educated, and if the public health is cared for. I am sorry to note that the backward communities have been denied proper facilities and due encouragement in matters of education. I hope our new Minister, the Honourable Dewan Bahadur Harilal Desai, will pay attention to this side of the question and will not fall a prey to communalism. I suggest also that in almost all the districts boarding houses should be built and attempts should be made to see that education is spread by leaps and bounds.

Zamindars owning lands pay nearly half of the total income to the Government. Though they are the backbone of the revenue, yet they are the people who are subjected to all kinds of ill-treatment at the hands of the local officers. Sometimes subscriptions are raised and poor Zamindars are forced to pay large dictated amounts to them without any regard to their means and ability. I know one or two such instances. One Collector of a district of Sind got in his head to help the blind. He did not hesitate to disrespect any Zamindar for extorting money from him. Foul means were employed to collect funds. Threatenings and intimidations were frequently used. The result was that many Zamindars had to sell lands to satisfy the Collector's whim, and many had to give

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their lands as subscription to the fund. I have no objection if subscriptions are raised for some noble purposes. But the means and methods must be decent and subscriptions should be voluntary. Under such tyrannies the result is that Zamindars do not pay proper attention to agriculture. Thus their properties slowly slip out of their hands, and in the long run Government suffers in Land Revenue. Such a procedure must be put a stop to and the land taken in the above funds should be returned to the Zamindars.

Mr. H. J. AMIN (Broach District): Mr. President, I rise to express my views on the budget that is presented to this honourable House by the Honourable the Finance Member, and, in doing so, I would like to make a few remarks on the budget speech of the Honourable Member in the light of the condition of the district I represent.

In his opening speech the Honourable the Finance Member himself invited criticism by criticising the non-co-operation movement and the Swarajist activities, and I reluctantly have to criticise him. It is a matter of regret that a personage occupying a high position as Finance Member tries to belittle the efforts and struggles of his countrymen for liberty by criticising, out of place, the non-co-operation movement and Swarajist activities. Whatever may be their shortcomings, people of a subject country cannot expect to achieve better results, especially when a countryman of theirs of the position of the Finance Member takes pride in criticising, off and on, a section of political view in his country. Now, Sir, it is admitted on all sides that the budget is a deficit budget and therefore it is our duty to make the best of a bad job. I quite realise the difficulties of the new Finance Member and also his anxiety for doing good to the people and for providing all possible funds for the nation-building departments. But mere anxiety does not help unless it is supported by genuine action. The Honourable the Finance Member makes mention of the inequity of the Meston Settlement and the injustice done by it to the presidency and says that nothing can bring prosperity to the province unless that settlement is set at naught. In this respect I would like to know from the Honourable the Finance Member what Government have done to undo that settlement.

One of the causes of the deficit in the present budget is given as slump in trade, but Government have not mentioned the reasons that led to such a big slump. Unless Government carefully examines the question and tries to relieve the financial stress nothing can be expected to improve the trade condition of this presidency, and the Honourable the Finance Member should not expect more revenue for the coming year out of it. Sir, there is a common saying among us that the powerful king Ravana lost his kingdom for want of a Bania at the helm to look after the affairs of his State.

The Honourable the PRESIDENT: Order, order. I would like to point out to the honourable members who have risen several times to speak that under the pressure of time which we have to face they should confine themselves to a very few minutes; otherwise, I would have to call on them to resume their seats. If the honourable member is reading

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only a short speech written out, I would allow him to read it, but if it is a long speech I would ask him to recapitulate it in a few words.

Mr. H. J. AMIN (Broach District) : Sir, Mr. Wilson says that the debt of the presidency is only about 7 crores more than the debt of the Bombay Municipal Corporation, but that is no defence and no argument, for debts are debts and one must be far from it. Would one be a sane man if he were to create debts to the extent of his two years' income and say that his debts are only so much ? What would be the attitude of honourable members on the Government bench if a municipality or a local board in the presidency were to pass such a budget ? I am sure they would at once run down to the spot and suspend the municipality or local body immediately. Not only that, but if any of the local bodies or municipalities were to spend a portion of their resources on a subject of their particular fancy which in the opinion of the honourable members on the Government benches is wrong, I am sure they would hasten to a civil court to file a suit and obtain a decree against the members of the municipality for misapplying the resources of the local bodies : and one has not to go far to seek an instance. As is very well known in the case of Nadiad and Surat Municipalities in case of my honourable friend and colleague Dr. Dixit of Surat and other members of Surat Municipality. But I find nobody to question the unquestionable and despotic Government. I hope they should at least fear God, if nobody else, and understand their duty towards the teeming millions of the Bombay Presidency leading miserable life.

We are told that the Government of India refuses to adjust a sum of Rs. 11 lakhs, being the cost of buildings in Political Residencies now transferred to their charge. I think it is nothing but an open day loot by the Government of India on the resources of the Government of Bombay.

I would not be out of place if I were to give instances how the expenditure of the presidency has increased. Some of the big Government officials are not working full-time, and there are instances in which heaps of papers are piled up for want of early disposal and the result is that an additional head is to be provided for to clear the arrears at the cost of poor ryots for no fault of theirs. This means not only the excess in expenditure but denial of justice. Formerly mamlatdars and collectors of the districts were working as Income-tax Officers, and if I mistake not, the collectors of districts used to do some work of Excise and Custom, but now separate departments are maintained at a great cost.

Although lakhs of rupees are spent and are being spent on Back Bay and other Bombay Suburban Development Schemes nothing or practically very little is done to permanently remove the distress of the famine-stricken portion of Gujarat. Crops have wholly and partially failed in several villages of Vagra, Jambusar, Amol and Ankleshwar talukas of Broach district of which the villages of Vagra and Jambusar are very badly affected. Many of them have no money to pay the assessment, to maintain themselves and cattle, much less to pay to their creditors. The water difficulties of Bahra villages of Broach district are very well known. Kansis and Drains in many places in the district have been

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neglected and practically all the Kansis and Drains in the whole district require to be properly dug up.

The condition of tanks, wells and troughs in the district is miserable and requires immediate attention to be paid to them. There is a demand for work and some test works are required to be opened at an early date. To meet all these, provision should be made, and Government should be prompt to come to the help and give them necessary relief by providing funds immediately required for the purpose.

It is a matter of great regret that the present Finance Member should have cast his eyes on the Famine Insurance Fund and the balance at the disposal of the presidency, which his predecessors wisely refrained from touching. If you touch these balances once under one pretext or the other and take something out of it, some day you will be tempted to take up all the moneys set apart to meet famine and other unforeseen contingencies. I think the predecessors of the present Finance Member wisely avoided touching these funds and pressed upon the Council to extend the Stamp Act for a year, but you, Sir, think it advisable to touch the balances, you can as well take some more from them and do away with the proposed extension of the Stamp Act for the coming year. Whatever may be the increase in the Education budget, it is of no benefit to us motussil people, and you will pardon me when I say that for Northern Division it is a deficit budget, deficit in the sense that not only we did not get increase, but on the contrary during the last five years the expenses of primary education have decreased and decreased with a view that if the local bodies were to take up the control of primary education according to the datum line the Government may have to pay less by way of grant. Here the big institutions of secondary and higher education are maintained at a tremendous cost and at the expense of poor people and also at the expense of primary education. I will cite another instance of Government extravagance in maintaining the Deccan College at Poona and the Government High School in Bombay at a very high cost of some lakhs a year and by spending nearly two hundred rupees per student, while other colleges there are imparting the same education at half the Government cost.

Khan Saheb A. M. MANSURI (Ahmedabad and Surat Cities): Sir, I shall be very brief in my remarks in order to give an opportunity to other honourable members who wish to speak. Sir, I have carefully studied the budget and find that our expenditure in Excise, Justice, Police and other departments has increased from 50 per cent. to 100 per cent., but I regret to find that the Gujarat seems to have been treated as a step-child. Crores of rupees have been spent in the Sukkur Barrage, in the Back Bay Reclamation and large sums have been given to the lot of Deccan and Maharashtra, but Gujarat has not been treated on the same scale. You know that Gujarat has been visited with famine—not actual famine—but the people there are faced with the scarcity of water and other necessities of life, as my honourable friend, the honourable member Mr. Sheth, has clearly pointed out to this House. There is no water for people in Gujarat to drink in some places and although the

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Government have provided some boring machines, they are not in sufficient numbers to supply the demand. The villagers of Rupal have applied to the Collector of Ahmedabad, more than a year hence for the use of a boring machine and paid their quota in the Government treasury towards the cost, still they had not the use of the machine. These poor villagers have to go about two miles distance to fetch water.

Sir, this is the condition of Gujarat. Now, I refer to the department of Police. There is a large increase in the expenditure of this department. I can point out to Government that formerly there were one or two sub-inspectors in the City of Ahmedabad, but now I find that there are about a dozen, and still the efficiency is not there. Whenever a man happens to go to the Police Station to make a complaint, one sub-inspector says "you go to the other man," and the other man says "you go to the third man, because it is not my ward." Thus, you will find that the responsibility is divided and there is no one person to take responsibility over his shoulders. If you take the rural area, you will find that many of the police stations for which there was a great necessity to retain them, have been done away with. Why should it be so? Now, coming to the question of motor traffic, I have to observe that there is a very heavy motor traffic in Ahmedabad, and daily there are accidents. But what penalty the Government has imposed on the motor drivers? A penalty of only Rs. 500 (five hundred) for causing death of a person. Why should you not increase that penalty. If the culprits are allowed to go scot-free or are allowed to be let off on payment of a penalty of Rs. 500, I believe human life will have no more value than the life of a cat or a dog.

Now, as regards education. What do we find in the budget? There is actually a cut in the expenditure of the existing Government schools. That is the way in which Government has treated Gujarat. Sir, you will find that as far back as the year 1879 there was one middle school, a high school, and the Gujarat College in the city of Ahmedabad. They are there for about 50 years hence, still it is very rare that you find much progress, and instead of making progress and providing Gujarat with a law college or a medical college or an engineering college, as they have done in the case of Maharashtra, Sir, Government are trying to cut down the middle school both at Ahmedabad and at Surat. Sir, it is a pity that the Government are spending so much in other ways elsewhere, and why should they try to cut down these model institutions? Every district must have model institutions and there is a great complaint both in Ahmedabad and Surat about the Government having retrenched these middle schools in Surat and in Ahmedabad. Sir, there are several secondary schools in Gujarat which are in a struggling condition and they want help. I wonder why Government should not take over these institutions on the recognised list and grant them one-third grant, because it is financially and economically advantageous to Government, because if Government run these institutions, it will cost them the full amount and if they were to give grants to these aided institutions and private institutions, that will save to Government two-thirds of that money or cost.

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Sir, many of the primary schools had non-co-operated during the wave of non-co-operation; they also again want to open the schools. But Government do not want to restore these schools. Government says: "Let your local board consent to pay one-third grant. But, Sir, owing to certain objections to rules that have been framed under the Local Boards Act, relating to primary education, some of the local boards have not taken over charge of these schools. So, till these objections are met and these district local boards are persuaded to take over charge of these schools, I do not see any reason why Government should not re-open these schools and run them as before.

Mr. R. S. ASAVLE (Bombay City, North): Sir, I must thank the Honourable the President for giving me an opportunity to speak for the first time in this House. I am a new member in this House and I know the Honourable the Finance Member for a long time, and I must congratulate him for presenting to us such a huge budget of the Bombay Presidency. No doubt he is an able man who has served in the Bombay Municipal Corporation for many a year and he is really a fit man for the post of Finance Member. But I am very sorry that this being his first time probably he has not come to the point and has not submitted the budget as he ought to have. This budget is not only unsatisfactory but is a miserable one because it would bring misery on the people of the Bombay Presidency. I will prove how the misery would come to the people of this Presidency, because the nation-building departments will not be provided for as they ought to have been and it would be a very hard task for the honourable members the Ministers of this House to face this House whenever the demands for grants would be asked for. I would request the Honourable the Finance Member that at least he will be on the alert when passing the budget item by item next week, and I would hope, as we have heard so many honourable members here that there should be a cut in this thing and a cut in that department and a cut in this place and a cut in that place, that he the Finance Member will try his best and prove to this House, as he has proved to the Bombay corporation, that he is an able man.

Now, Sir, I will turn to the real budget. What provision has he made for the labouring and the poor classes? Really I am sorry and I am astonished to see that he has done nothing for the poor people. No word has been uttered in his budget speech about them, and, after all, the poor and labouring population will never be looked after by the capitalists and the rich. But the time will come, and I am quite sure as the time has come in England, so the time will come also in India not long from now.....

Mr. LALJI NARANJI (Indian Merchants Chamber): Get the wealth of England first and then expect other things.

Mr. R. S. ASAVLE: Why should we expect to get the wealth of England? We are rich here, but we have been deprived of our wealth, and that is why we are suffering. We must look to our own interests, and how? We should not ask others to deprive us of our wealth, and that

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is in our hands. Now, we have got here five Indian Honourable Members who are Executive Councillors and Ministers. If these five join their hands, I am quite sure they will do quite a lot. In our Marathi language there is a saying “पांचा मुखी परमेश्वर” (Pancha mukhi Parameshwar). That is, if five people say a word with one voice, God speaks. So, I tell them that they are really this time in place of God, and if they join hands, I am sure they will do a lot and they will redress the grievances of their own countrymen and they will make a name.

Now I turn to the figures in the budget. Nothing has been provided for the labouring classes, for the unemployed people, not even upcountry people but even of Bombay City itself. In fact, the revenue of Government, the greatest part of it, is derived from these classes only. Nearly three-fourths of the revenue comes from the agricultural classes and the labouring classes. The labouring classes also belong to the same agricultural classes. Owing to failure of rain, owing to distress in their own districts, they come down here and do labouring work. But here also is the same fate for them. And why is that? Because they have been put into many miseries. One misery is that they have no sufficient employment. Government, the civilised Government as it is called, must look after the interests of the poor classes. But they have failed, and they must do something. Now, as regards retrenchment and increase of revenue, I suggest only two things. As for retrenchment, I think if the House agrees and if we tell Government with one voice that there should be a 10 per cent. cut in at least the provincial services, then we might secure about Rs. 5 to Rs. 7 lakhs, leaving aside the Imperial services at present until the revision of the Meston Settlement. But they can do this. They can reduce as I suggest, and I think by reducing about 7 or 10 per cent. of the provincial services there would be no pinch to them and they will willingly carry on, as I can say that even a man at present drawing Rs. 500 will never feel the pinch if he is paid say, Rs. 450. But if you give Rs. 2 less to a man drawing Rs. 30, he will feel the pinch very greatly. I therefore wish that the Honourable the Finance Minister will look to this, and if he tries to have a cut in the Provincial services only, then he will secure a good bit of retrenchment.

I ask the Honourable the General Member, what is the use of building so many chawls for the poor people when their rent is so high? These poor people earn from Rs. 20 to Rs. 30 a month, and yet they are charged Rs. 10 rent per month. Even Government officers are not charged more than ten per cent. of their salaries for Government buildings rented to them, and yet these poor people are expected to pay more than forty per cent. of their income as rents. It is impossible for them to pay so much, and therefore, if the Honourable the General Member takes steps to reduce the present rents to Rs. 5 or Rs. 6, I am sure we shall be able to recover nearly nine lakhs of rupees as nearly 13,000 rooms have fallen vacant.

The Honourable the PRESIDENT: I trust the honourable members will realise now that we cannot really go on with any more speeches, because it is but fair that the Honourable the Finance Member should

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have sufficient time to give replies to the many questions raised in the debate. I would therefore call upon the Honourable the Finance Member to reply.

The Honourable Sir CHUNILAL MEHTA: Mr. President, before I commence my reply I should like to mention to the honourable House the order in which we propose to take the bills to-morrow. It was asked for just now by the honourable member Mr. Pahalajani, and I think the House should know at this stage, how we propose to proceed. We intend to take the Stamp Bill first to-morrow and after that we shall take the supplementary grants if there is time enough for that. Then the Aden Bill will be taken up. That will be enough at any rate for to-morrow.

I now wish to ask your indulgence, Sir, about a matter which I wish to bring before the honourable members in connection with a new Council Hall. I regret it was not possible to give longer notice. This matter was mentioned to the Finance Committee, and I understand that general approval of that Committee was given to the idea of having a new Council Hall. I propose, if you, Mr. President, allow it, to move a resolution on this subject on one of the Government days. The plan for the new Council building will be put up here so that every honourable member can have an opportunity of seeing it and examining whether the scheme is worth carrying out or not. We would like to have the view of the House about it, because a wish has often been expressed in this House to have a better hall than the present one which is most inconvenient and most difficult for purposes of hearing and that if a suitable arrangement could be made elsewhere at reasonable cost, it should be done. In deference to that desire, I will put the resolution that I will have to move in the absence of my honourable friend, the Minister for the Public Works Department, as follows:—

“This House approves of the acquisition of the Sailors' Home and the plans for the proposed new Council Hall and recommends to Government that they should proceed with the work subject to a limit of expenditure of Rs. 8,30,000.”

And now, Sir, I will venture to address a few words in reply to the general discussion on the budget.

Sir, when I heard the honourable members opposite complaining about the short time which was given to them in order to study these books, not only did I feel that considerable sympathy was due to them on this matter, but even in my own personal interest I felt that it would have been far better if they had had more time to study these books, for in that case they would have left perhaps the poor Finance Member severely alone and dealt with the subject matter of the budget itself. On occasions it appeared to me, Sir, that I should claim the protection of the Chair under one of the rules which prevents repetition, tedious repetition. I was reminded of that on account of member after member getting up and wanting to congratulate me on the position which I have the honour at present to occupy. It appeared to me to be extremely tedious and unnecessary. I felt so washed away in the torrent of criticism that was directed, I understand, against the system and not the individual,

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fortunate or unfortunate, who happens to occupy this place. I quite realise that the Jugganath Car of that criticism will crush an innocent Indian Member or two, whether he is the first Finance Member or the last. I hope in my own case it will be open to me to present perhaps another budget to this House, and I hope that that budget will not be as unsatisfactory, as I admit this deficit budget is, but, Sir, I must hope at the same time that more luck will attend the efforts of the succeeding Finance Member, whether he is Indian or whether he is European, who will have the good fortune of presenting the budget to this House for five years in succession.

Many members got up to congratulate me. I never invited any of these congratulations as it was indeed very charitably suggested by one of the morning papers. Sir, I never sought this place. I never asked that I should be made Finance Member. I knew the difficulties. We all know the difficulties which attend the position of a Finance Member at any time during dyarchy, and certainly in our present financial position, but it was not for me to run away from that responsibility, and if I had run away from that responsibility I should have been blamed far more by those same honourable members opposite who have always asked that the Finance portfolio should be given to an Indian. I recognise, Sir, that I owe this position, as was very rightly pointed out by the honourable member from the Panch Mahals this morning, to the fact that I am an humble member of the public, and that I came to occupy my present position under the scheme under which Indians not belonging to any Service were to be associated with the Executive Council of the Government. I belong neither to the Imperial nor to the Provincial Service. Indians in public life were brought in in order that they might place, as far as the limitations of the present Act allowed, the unofficial Indian point of view in the Cabinet. It is not for me to say how far I may or may not have succeeded in being able to do that. I recognise that it was my duty and I have tried to do what I could, and I hope, Sir, that the Council will at any rate acknowledge that if it was not possible for me to have done any more or in future to do any more, it is not on account of want of will, it is not on account of a lack of desire to push forward the Indian point of view which I believe I have always understood and which I have always tried to import into the actions of Government, but it is because of the limitations of the Act. Sir, there is no secret about these limitations. As the honourable member, the Finance Secretary, pointed out no Member, Indian or otherwise, can wave the wand and eliminate the Secretary of State.

It was suggested that in fighting the Government of India with regard to the Meston Settlement this Government had not done its best, and that as so far we had not succeeded, we should now instruct the public not to pay income-tax. Surely, it was forgotten that this Government is the subordinate of a subordinate administration. Well, Sir, I do not for a moment think that honourable members who have come here, and I repeat, come here to help the Council and the Government, will refuse to recognise the limitations which they have accepted by joining this Council.

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Sir, a good deal was said about the few prefatory remarks that I ventured to make in my budget speech. I have read them again in view of the criticism which has been levelled against them, and while I at once disclaim any desire to cast any insinuation against the motives of any party, whether it is the pure non-co-operation party or whether it is the Swaraj party, I have ventured to point out the results that have followed the practice in this Council of that party. Sir, I have had occasion to observe these results. I have observed them with, I hope an intelligent mind, and I have given the result of my observation to the House. I may be wrong : perhaps I am wrong, but if honourable members feel that there is any truth in their actions will be guided by those observations. I have not the slightest desire to underrate the work which members of the Swaraj party or any other party have done. I have expressed my opinions long before this. I have expressed them in office and when I was not yet in office. I do realise the great personal and other sacrifices which leaders of the Swaraj party and other parties have made in the cause of the country, but it is up to me to point out, without belonging to any party, liberal or otherwise, the directions to which their attitude has led this Council. No more, Sir, did I venture to say.

One word with regard to communalism. I entirely agree with the honourable member Moulvi Rafiuddin Ahmad that it is far better that the Muhammadans who enter the Councils should be elected than that they should be nominated. That was, as was correctly pointed out, the view of the late Honourable Mr. Gokhale, and that is my view now. Sir, communalism was not mentioned by me in the sense in which it has been interpreted. I had in mind neither the non-Brahmins nor the Muhammadans. The true interpretation of my statement was given by the honourable member Mr. Mir Mahomed Baloch who, I understand, is a Swarajist.

Why is it necessary that we should divide ourselves into small communalistic groups in order to carry out the work of this Council? Why is it impossible to form parties where we can make concessions to each other, where we can recognise that the backward communities deserve all the encouragement that we can give them, where we recognise that behind the backward communities there are hundreds and thousands of the depressed classes, about whom no word is being said? (Honourable Members : Hear, hear). Sir, three years ago, when famine stalked the district of Satara, I toured as the Revenue Member, to the famine stricken tracts of Satara. I found there the most depressing conditions for these depressed classes—no water to drink, divisions amongst the depressed classes themselves, held at arm's length by every other superior community. Sir, it was then that I started the scheme of providing water to the villages which has gained the hearty approval of the House. I believe, Sir, that communalism has its place, and every community has the right and, indeed, it is its duty, to look after its own interests; but there is no reason why the people of different communities should not combine together in order to form parties to achieve the common good. So much, Sir, for my prefatory remarks. If I was wrong in making them, and if any members of any party, the Swaraj party, the non-Brahmin party,

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or the Muhammadan party, feel injured at it, I will take back those words, if they think that they referred to their motives. But I will not take back any of my words as to the results which, in my opinion, have followed such a course of action.

I will now refer to one or two points in immediate reference to the budget. I was surprised that my honourable friend Mr. Lalji Naranji, who represents the same constituency which I had the honour to represent when I was Minister, should have tried to give figures to this House which, in the words of my personal friend the honourable member Mr. G. I. Patel—I do not see him here just now—were misleading. I explained that the debt position of this Government is Rs. 24,87,00,000 including Development. I added that there is a debt of Rs. 9 crores which is irredeemable, which is not to be paid back to the Government of India, against which we have magnificent irrigation works, and on which we pay interest at a little over 3 per cent. That an honourable member with so much business acumen should say that, because we have lent to the local bodies large sums of money borrowed on their behalf and responsibility, therefore the debt of this Government has been enormously increased, without taking into consideration the resources of those local bodies, appears to me to be rather straining the facts. These sums, as has been explained on page 33 of the Budget, amount to Rs. 21 and odd crores. These sums were borrowed, as honourable members are aware, together with the sums required by this local Government, in order that the market for interest may not be spoiled, when the rate was already very high, and all bodies combined together to go to the market for one lump sum, and borrowed these amounts in the shape of the Bombay Development Loan and also from the Government of India. I do not minimise the amount of this debt, but I do not think that for any Provincial Government, with our resources, this debt, if it is for productive purposes, as most of this is, can be regarded as excessive. It may be a matter for argument as to how much more that debt should grow. I am all for caution and I entirely agree with him that we should not incur debt for unproductive purposes.

Mr. J. C. SWAMINAYARAN : Have the local bodies borrowed for productive purposes ?

The Honourable Sir CHUNILAL MEHTA : Yes. They have borrowed for water works, drainage works, and such other purposes. They have got their own resources. It may be argued, Sir, that we have acted as guarantors for these local bodies, and that is perfectly true. We are the guarantors, but I am certain that bodies on which my honourable friend Mr. Lalji Naranji and other gentlemen of his business ability are represented will not be allowed by them to go insolvent, as they are fond of saying this Government is going to be, and no more is that going to happen with the Bombay Municipality or the Improvement Trust whose members here can confirm what I say. If we got the money at a lower rate of interest when we borrowed together, it was necessary that we should lend our credit. I do not know that the local bodies would not like now to borrow on their own account, and to be relieved of getting their loan through Government. But, Sir, that is not the whole story.

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This Government is not oblivious of its capital liabilities and the proof of it is to be found in the Budget itself. Not only have we made provision for the Bombay Development loan the sinking fund of which at present stands at 82 lakhs, but as I have already pointed out in my opening speech we have made arrangements for equated payments for all these several loans, some in 60 years and some in 30 years. The debt of 131 lakhs in the provincial loan account we are bound to clear in 12 years of which some six years have passed. The honourable member from Sukkur criticised Government as extravagant and said they are borrowing money for housing schemes which are unproductive. That is not the case. From the commencement of this year we have deliberately laid down that no scheme costing under 5 lakhs will be met from borrowed funds. The former limit of one lakh we have raised to five. The effect is that the burden falls on the current revenues and is no less than 46 lakhs this year, and several lakhs in the next year. It appears to me that is all a prudent Government might be expected to do. We meet from current revenue all expenditure under 5 lakhs. Schemes like the new Council Hall which is estimated to cost 8 lakhs will be met from borrowed funds. (An Honourable Member : Productive.) At any rate we will be able to bear criticisms of honourable members in the new Council hall better and in that sense it will be certainly productive. To put it in other words had we been extravagant or unconscious of our loan liabilities we would have allowed all these sums to be met out of loans. Our deficit to that extent would be reduced. It is I consider positive proof of the watchfulness of Government on this head that they have met these large sums this year and next year from revenue. There is similarly very little provision made for any new works next year.

As regards the point attempted to be made by the honourable member from Kaira (Rao Saheb D. P. Desai) when he mentioned that the expenditure on the reserved departments has gone up by 192 lakhs, I put to him a definite question whether he would enlighten me how he arrived at that figure. I do not get any answer. (Rao Saheb D. P. Desai : I shall reply to-morrow). That will be good enough for to-morrow, but I cannot give any answer to-day. The same point and similar arguments were made by other honourable members. I fully realise that the amount of money that is placed at the disposal of the transferred departments is not all we desire. I have been saying that for a long time. If I could only see my way to provide money for these purposes I should be the first to do so. I was rather struck with the speech of the honourable member Mr. Jairamdas Doulatram whom if he will allow me, I congratulate on his first speech. He has taken great pains to find out the progress of expenditure on the various departments from 1910. He did not fall into the general mistake of taking other than the post-reform calculations. His comparison would have been somewhat fairer if he had taken the year 1920-21 that is, up to the Reforms. I took for comparison the year 1921-22, because in that year the expenditure was the greatest, as will be seen from the Blue Book. In order that there may not be the attack

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of having chosen a favourable year for instituting comparison I selected the year 1921-22. Honourable members will find that in 1920-21 the expenditure on education was only 143 and it has jumped up to 206. I took the next year when it was 173. If the last pre-Reform year is taken for Transferred Departments as should be done, the argument of the honourable member from Hyderabad loses much of its force. But the Finance Member cannot divide or distribute these sums as he pleases. It is for each individual member to make out the case for his departments and to see that other departments do not take away more than their fair share. All the departments are severely rationed. We are not in a position to allot more funds in the total than we have done.

I was somewhat surprised when I heard the speeches of my honourable friends opposite who are sitting next to each other (Mr. B. G. Pahalajani and Mr. Chandrachud). I did not know whose advice to follow. The honourable member Mr. Pahalajani with the great experience he possesses of all these years said that Government estimates of deficit are all wrong and the deficit will not be anything like 75 lakhs this year or 50 lakhs next year. Beware it would be reduced to nothing. I can quite understand what is at the back of the honourable member's mind. The honourable member sitting next to him on the contrary said : "Don't you believe Government? They minimize their losses. These deficits will grow to 150 lakhs this year and 100 the next." If he is so convinced from the study of these two books, and he says he has had ample time for study, I am sure he will support us to-morrow in passing the Stamp Bill. I do not entertain very much hope as regards his support ; at any rate it will give him some food for thought to-night

I shall refer to the matter of retrenchment. I wish to point out how limited is our scope. It is not as if we did not attempt to cut off some of the tallest poppies. It is not as if we do not feel that something in that direction is desirable to be done. Honourable members criticised me because I instituted comparison with the other provinces. We are not alone. We cannot act as an individual province. We have to consider or we are made to consider what would be the effect on all provinces of any particular step taken in any particular province. Out of the 15,58 lakhs in the next year's budget how much is under the control of this Government? If honourable members realise this, they will perhaps be able to understand the difficulties that face the Government and the Finance Member. I have got a little statement which will make this matter somewhat clear.

There are first, Sir, expenditures of an obligatory nature which this Government must discharge. Those amount to no less than 492 lakhs. Those are under Land Revenue, assignments and compensations, 14½ lakhs ; Excise compensations, which as my honourable colleague the Excise Minister explained, we have to pay to the Indian States, 13.1 lakhs. We have to pay interest on our irrigation debt (for which we get a corresponding revenue) to the extent of 55.5 lakhs. Under the head 19-Interest, we have an expenditure of 1,24.2 lakhs ; out of that we get a corresponding revenue of 89 lakhs from local bodies. It appears

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on both sides of the account; therefore, I have to mention the total figure of 1,24 lakhs. Sinking fund accounts for 8.91 lakhs. Under General Administration, assessment of alienated lands less quit-rent accounts for 97½ lakhs. Duty on Stores which we must pay is about 4 lakhs. Famine Insurance Fund 63,60 lakhs; Superannuation Allowances, 54.74 lakhs; and Contribution to the Government of India 56 lakhs. That makes up 4,92 lakhs. There are in addition items of expenditure which I am certain the House will not wish to cut out.

Education :—

Grants to Local bodies for primary education ..	1,20.76 lakhs ;
Grants to the University and direct grants to colleges and schools and scholarships.	35.41 lakhs ;

Medical :—

Grants for medical purposes	4.04 lakhs ;
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Public Health :—

Grants for Public Health Purposes ..	6.97 lakhs ;
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Civil Works :—

Grants chiefly to local bodies	20.67 lakhs ;
Charitable donations :— and so on	1.80 lakhs ;

Total .. 1.90 lakhs

And here I may remind honourable members that when I said in my budget speech that we were giving a crore and a quarter to local bodies I was referring to the year 1924-25, because I had to collect figures for all the provinces. The actual amount provided for this purpose for next year as they will see, is about 1½ crores. In addition there is 72 lakhs which appears on both sides of the budget in relation to expenditure on Forests, Registration and so on, for which we get a corresponding revenue. If we were not to spend that money we should not get that revenue. I have therefore included it in this calculation. So that, out of an expenditure of 15,58 lakhs there are items of expenditure which either cannot be avoided or which it is not desirable should be reduced, amounting to 7,54 lakhs. To that you must add 99 lakhs which are paid to the All-India Services, including Members of Council and High Court Judges, which is outside the control of this Government. That leaves about 7 crores as the amount over which this Government has control. Out of this 7 crores, the Provincial Services account for 85 lakhs, and the subordinate services, about which my honourable friend Mr. Pahalajani gave figures, account for a very large figure, I think he said over 1 crore. In the amount that is left is also included sums for travelling allowances which often have been a subject of debate and which, it was pointed out, are necessary if the lowest classes of the population are to be protected.

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It is over half a crore. I have been accused of suggesting to the House that the salaries of the subordinate officials should be cut. I have done nothing of the kind. I have not made the slightest allusion to that. No instructions on that point have been given to the Retrenchment Officer ; he was not asked to propose and he has not proposed retrenchment in any such direction. I did not wish to give any lead to this House. In the manner I have put it I have left it entirely to them to tell us whether anything in that direction is required to be done or not. I told you that we made some attempt to cut off some of the tall poppies but without success. Therefore, it does not lie with me to suggest reductions of salaries of the subordinate establishments. Those are some of the difficulties through which the Finance Member, whether he is an Indian or European, has got to pass.

My honourable friend from Satara wanted to know what has happened about the rules that were to be made by the Secretary of State. The honourable member, I understand, referred also to the question of the Indianisation of the services in connection with economy and the declared policy of Parliament to provide for the increasing association of Indians in every branch of the administration as stated in the declaration of 1917 and in the preamble of the Government of India Act. He complained that the preamble has not been printed with the Act, but if he turns to page 8 of the Council Manual he will find it there in the text of the Act. The honourable member, if I remember right, also asked for information as to what has been done to carry out this policy, and especially as to whether any steps have been taken for framing the necessary rules to give effect to it and whether anything has been done in the direction of the reduction of officers appointed by the Secretary of State and their replacement by Indian officers under the control of the provincial Government and belonging to the Provincial Services. The Secretary of State has in the past year issued certain classification and delegation rules, which, with other rules now under his consideration, give full powers to the local Government as regards the recruitment and fixing of qualifications, pay, allowances and pensions of the Provincial Services, and of the new provincialised services which in the transferred departments are to take the place of the existing all-India Services. As regards the personnel, in accordance with the recommendations of the Lee Commission, recruitment of all-India Service officers for the Indian Forest Service, the Indian Veterinary Service, the Indian Agricultural Service and the Indian Educational Service has been completely provincialised from 1921. Requisite rules for the new Provincial Services are now being prepared. It may be mentioned too that in the Medical Service, the Secretary of State's control is now only in respect of certain appointments of Indian Medical Service officers, and that it is proposed to separate the Irrigation branch and the Roads and Buildings branch of the Public Works Department of the Indian Service of Engineers, and that the latter will be added to the provincialised services. I think this is all the information that my honourable friend wanted.

MOULVI RAFUDDIN AHMAD : Will the Honourable Member tell us the real amount over which this House has control ?

The Honourable Sir CHUNILAL MEHTA : It comes roughly to 7 crores ; considerably more than 8 crores are items of the nature obligatory and others that I mentioned.

Mr. N. A. BECHAR : (Asked a question which was maudible.)

The Honourable Sir CHUNILAL MEHTA : I am afraid I have not got the figures ready, but I will try to satisfy the honourable member later on if he will repeat his question. The point was raised that my comparison with the other provinces was somewhat unfair, because I did not mention the number, but only the pay of the Imperial Service officers employed by this Government and by the other Governments. I think that point was raised by my honourable friend from Sukkur. I have got the figures. I am taking only the Indian Civil Service officers about whom, I understand, there is the greatest complaint. Now, regarding the provincialisation of services, I will quote figures of I.C.S. men working in this Province including listed posts. In 1921 such Indian Civil Service Officers amounted to 159, and they have been reduced from year to year. In 1927 these Officers amounted to 135. You will, therefore, find that there is a reduction of 24 Officers since 1921. Now, let us examine what relation they bear with regard to other provinces.

The Honourable the PRESIDENT : How much time the honourable member will still take ?

The Honourable Sir CHUNILAL MEHTA : Not very long, Sir.

Now, as regards other provinces, what do we find ? Bombay employs 135 I.C.S. Officers, Madras 184, Bengal 170, United Provinces 173, and Punjab 119. Worked according to the population in thousands, Sir, served by each officer in all these various provinces, it is this : Bombay 143 thousands, Madras 230 thousands, Bengal 275 thousands, United Provinces 262 thousands, and Punjab 174 thousands. Worked out again on the area in hundreds of square miles served by each officer, it comes to this : Bombay 900 square miles, Madras 800 square miles, Bengal 500 square miles, United Provinces 600 square miles, and Punjab 800 square miles.

An Honourable MEMBER : What about population ?

The Honourable Sir CHUNILAL MEHTA : As regards population I just now quoted the figures, but I will repeat them again. Taking the population in thousands it is : Bombay 143, Madras 230, Bengal 275, United Provinces 262 and Punjab 174. I thought, Sir, it necessary to give these figures in order that we may not be open to the charge that we have deliberately neglected the number and compared only the pay. If there is still any point which the honourable members would like to be cleared up in these comparisons, I shall be happy to do so.

Now, finally, I should like to say one or two words as to the allegations that have been made that this Government has gone bankrupt. (Laughter) It is nothing of the kind. It is not bankrupt, and it is no going to be. Further, I would refer to the allegations made against me that I am a Bania and the House expected great improvement in the finances at my hands as a Bania. As a Bania, I confess, that I have had to sit very tight on the Government purse, and that I have had to refuse

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mercilessly many requests that have been made for funds by various departments, however good their object may be. I have been told that as a Bania it is my duty to see that the ship of Government does not flounder in these troubled waters. I am going to see to it and so is the whole Government. I may tell this House, however, that I am not a Bania, but a "Vania". There are several definitions of that word, but to me it appears to be derived from "Vani" which means speech, word. "Vania" therefore is one who is true to his word which I hope I shall always be (Laughter and loud applause.)

The Honourable the PRESIDENT: Order, order. As the order of work has been fixed now for to-morrow, I would like to tell honourable members that the demand for grants would begin from the 1st, that is to say, Tuesday next. Honourable members, therefore, will have to put in their proposals for cuts if any. They must give three clear days' notice. I mean the proposals for cuts must be placed in the hands of the Secretary three clear days before we commence the demands for grants. To-morrow, therefore, is the last day till evening, and by 5 o'clock to-morrow evening, all the honourable members, who have proposals for cuts, must hand them over to the Secretary. It has been found in the past that honourable members put in their proposals very late, and I personally have felt much difficulty in dealing with them—and the Honourable Ministers and other Government Officials find it inconvenient to deal with them in time. I, therefore, will allow no relaxation of that rule, and ask the honourable members to put in their proposals in time.

The House will now adjourn till 2 p.m. to-morrow, Friday, the 25th February 1927.

Vol. XIX

Part VII



Bombay Legislative Council Debates

Official Report

Friday, February 25, 1927

[Price—Annas 5 or 6d.]

BOMBAY
PRINTED AT THE GOVERNMENT CENTRAL PRESS
1927

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GOVERNMENT BILLS

BILL NO V OF 1927 (A BILL FURTHER TO AMEND THE INDIAN STAMP (BOMBAY AMENDMENT) ACT, 1922)

The Honourable Sir CHUNILAL MEHTA : Mr. President, I introduce the Bill* further to amend the Indian Stamp (Bombay Amendment) Act, 1922.

The Honourable the PRESIDENT : The bill is introduced.

The Honourable Sir CHUNILAL MEHTA : Sir, I beg to move that the bill be read the first time.

The Honourable the PRESIDENT : I could not quite follow what the honourable member said ; the honourable member proposes what ?

The Honourable Sir CHUNILAL MEHTA : Sir, in the first place I introduce the bill and I beg to propose after that, Sir, that this bill be read for the first time. Sir, in the statement for objects and reasons, which is accompanying the bill, the reasons have been stated as to why Government consider that this bill should be passed. I do not think, Sir, that after the discussions that took place for the last three days on the general condition of our finances, it is necessary to say anything in extenso about the reason which has been stated in the objects and reasons relating to that particular point. The result of the five years' experience has proved, Sir, that this bill has not really caused any considerable hardship, and that it is required for supplementing the finances of this Government appears to me to admit of very little doubt.

I will not deal, Sir, with the small amendments that have been otherwise proposed which are really consequential amendments on the bill having been passed last year. I will deal only with the general reasons why it is necessary that this Council should give its consent to this bill. Last year the Honourable the then Finance Member, Sir Henry Lawrence,

* Appendix I.

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moved that this bill should obtain permanent life and afterwards agreed to extending it only for one year. Honourable members of the Legislative Council may well ask why it was that Sir Henry Lawrence agreed to the limitation that was then suggested by the honourable members. I am not altogether sure, Sir, what was in the mind of my honourable predecessor. As my honourable friends opposite are aware, there was a streak of humour and, if I may say so, also a streak of mischief in his complex nature. He no doubt wished to try and see how his successor was going to go through the ordeal of a fresh Council full of fight ; but I think a more substantial reason that may have been at the back of his mind was the fact that the Taxation Enquiry Committee's Report had only been published on the day on which he was moving the bill, and that as that Committee recommended that arrangements by the Government of India should be made with the various provinces for taking over Stamps as a central source of revenue and for giving in return some other revenue like the income-tax, he thought that perhaps in a year's time these negotiations would be completed and there would not be any further necessity for this bill. Now, Sir, honourable members are aware that in paragraphs 312 to 316 of the Taxation Enquiry Committee's report they have traced the history as to how the stamp revenue came to be given to the provinces ; they have also stated the reasons why, in their opinion and on account of the experience gained after the Montagu-Chelmsford Report, it is necessary that stamps should be a central subject. I think it will be enough for me only to say that that is one of their definite recommendations. In pursuance of that recommendation, the Government of India wrote to the various provincial Governments during the course of last year making various suggestions as to how the whole stamp duty should be taken over by the Government of India. It was found in the calculations subsequently made that it was impossible to take over all the items of the stamp revenue from the provinces as it entailed two difficulties, namely, (1) that some of the provinces at all events would have had to be compensated by an annual cash assignment, because the revenue proposed to be handed over in the shape of a uniform pie-rate on the income-tax or the income-tax assessments, was not in the case of certain provinces enough to make up for the revenue that they will surrender by giving up the stamp duty.

The second objection was that some of the provinces claimed that it was unnecessary to hand over all the stamps to the Central Government and did not desire to do so. The result was that in the course of very lengthy discussions at the conference of the Finance Members in November last, it was found that no satisfactory figures could be produced with regard to the stamp revenue or to income-tax assessments on which a basis could be formed for negotiations with the various provincial Governments. It was generally agreed on a suggestion by the sub-committee appointed to consider this question that not all the stamps should be handed over to the Government of India, but certainly a good many of them should be so handed over in view of the fact that difficulties had arisen between the various provinces in their administration, and

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in view also of the fact that general matters such as banking could only be encouraged if they were handled by a central authority. The result, therefore, is that the Government of India are now collecting statistics as to the revenue to be expected from these two sources and are going to write to the provincial Governments suggesting in what manner the exchange should take place so as to be equitable both to the provinces and to the Government of India. This is quite independent of the claim we are making for the Revision of the whole Meston Settlement and particularly as regards a share of the income-tax. The fundamental point to remember is that the provinces, each of them, will have to surrender a certain amount of revenue, and in return for it get a pie-rate on the income-tax. It is therefore to the interest of each province, and particularly to the interest of the industrial provinces, that as high a rate of revenue under the stamps should be handed over in order to obtain as high an exchange value in the income-tax as possible. I am not going, Sir, to show in great detail why this Government considers that it would be advantageous to take over a portion of the income-tax or a pie-rate on the assessed income in lieu of the stamp revenue. I think all those who have any confidence in the industrial strength of this province will not dispute the fact that it will be to the interest of this Government to get a portion of the income-tax in preference to Stamp revenue.

My predecessor, the Honourable Sir Henry Lawrence, had this point very vividly before his eye, when in replying to the debate last year he put the proposition in the following words on page 423, Bombay Legislative Council Debates of 1926 (Vol. XVII), February-March Session :—

" Here on page 385-86 of the Taxation Enquiry Committee's Report I find the system that has been recommended by the honourable member (referring to Dr. Paranjpye) and his other five partners :—

' The Government of India would determine the total sum they propose to distribute to the provinces. As soon as that point has been determined, all that would remain to be done is to select basic rates for income-tax which would give the provinces a share of this tax which would be equal to the revenues now derived from provincial heads the transfer of which is proposed. ' "

He paraphrased this in simpler language. He said :

" In simpler language, it means that next year if we receive a crore of rupees from non-judicial stamps, the Government of India would be bound to give us a crore of rupees from the income-tax revenue. But if at that time our revenue is Rs. 80 lakhs, then the share of income tax we should receive will also be Rs. 80 lakhs. That is to say, by diminishing our revenue by Rs. 20 lakhs next year, we should lose Rs. 20 lakhs in our income-tax share in perpetuity. This is the most important point which must engage the attention of honourable members. "

Well, Sir, it hardly seems necessary for me to dilate upon the point which was so clearly made by the Honourable Sir Henry Lawrence. It might be asked whether we still hold to the estimate which was then prepared by the Honourable Sir Henry Lawrence, namely that a reversion to the old rates of the stamp fees would mean a loss of Rs. 20 lakhs of revenue. We have attempted to work it out, and the figure comes to Rs. 21 lakhs. So that, if the House is determined to throw this bill

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out, it will mean that we shall lose in perpetuity, not from our taxpayers—a point which I shall explain a little later—not from our taxpayers but as against the Government of India.

An Honourable MEMBER : It is a very good bait.

The Honourable Sir CHUNILAL MEHTA : I hope you will swallow it.

An Honourable MEMBER : Is this 21 lakhs from non-judicial Stamps ?

The Honourable Sir CHUNILAL MEHTA : That is so. I was saying, Sir, that in view of the Government of India proposals we would be doing no service to the inhabitants of our presidency by rejecting this bill. We shall not be saving any money for them, while we shall be taking upon ourselves a burden in perpetuity of over Rs. 20 lakhs. It is well known that the stamp duties in all the major provinces including Madras, Bengal and the Punjab, were revised about the same time as our own were revised, somewhere in 1921-22, and they stand to-day at the same level at which we propose our duties to be under the bill that is now before the House. Those Governments were lucky in getting their Stamp Acts as permanent measures. It is only ourselves that got the Stamp Act in the first instance for 4 years, and a renewal of it for one year only under the special circumstances which I explained to the House. I will dilate a little upon the reason why I think the inhabitants of our presidency will not be saved this sum for any length of time. When these stamp duties become central duties, they will be administered by the Central Government, and our rates will not be allowed to be lower than those prevailing in other Provinces. The same duties that apply to those provinces must be applied to ourselves under an all-India Act. So that, while we shall not be doing any benefit to our own taxpayers, we shall certainly be losing as against Central revenues.

Now, Sir, there is another reason why I think that this bill should have a longer life than the one year which was agreed to by the Council last year. It is well known that our stamps have suffered very considerably owing to the depression in trade. That depression is nowhere more evident than in Bombay City, which contributes more than half of the total revenue under non-judicial stamps shown in the budget. These negotiations with the Government of India cannot be completed in a short space of time. We have to watch our interests with the very closest care. Correspondence has to take place between the Provincial Government and the Central Government, and I think an important question like this will have to be discussed at the Financial Conference which meets at the end of the year, and various other formalities have got to be gone through before we at any rate become satisfied that we have got all that we are entitled to get from the Government of India. But the depression in trade will certainly affect us, if we strike a bargain at the revenues of the current or of the next year. It was not my intention to point this out with too much emphasis publicly, but looking at the temper of the House I consider it is necessary to mention all the facts, even though they may go against us in our negotiations with the higher authorities. My desire is to postpone the year which shall be the basis of the negotiations

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for two years at least. I think, by that time—at least we hope so—a turn will have taken place in the tide of commercial prosperity in this city and elsewhere, and we shall be in a position to offer to the Government of India a considerably larger sum than we have budgetted for, and I consider that we shall be able to claim—a claim which cannot be denied—that we should get income-tax which is equivalent to the sum that we have offered. I wish honourable members to state whether they consider that we are now at the height of prosperity, so that we can negotiate on the present day figures. It might be argued that there is a fallacy in this argument, and that if trade prosperity affects stamp revenue, it will equally affect income-tax. There is no such fallacy as at first sight appears. We know our stamp revenue after a few months after the year closes. We do not know our income-tax revenue—the income-tax revenue of the Government of India—till after another year has passed. As honourable members are aware the assessment is based on the account of the year previous, so that at least there is difference of one year in this calculation. There is also this point to be considered. Perhaps the amount of income-tax does not really matter so much as the amount of stamp duty. The Government of India suggest a share based on the assessed income. They have not agreed to give us a share of the income-tax. There is considerable difference between the assessed income and income-tax. So far as our investigations lead us, they show that a higher rate of stamp revenue is not necessarily reflected, at the same time or to the same extent, either on the income-tax or on the assessed income. These grounds, Sir, I venture to think are of importance in helping honourable members to come to a decision as to what they will do in the interest of their province. I do not like at the present moment to tell you what will be the consequences of the rejection of this bill. Those that I have mentioned to you are sure to follow, and I cannot believe that the Council will be so short-sighted as regards its own interests—that it will defeat the object for which we have been striving during the last three days. Should it unfortunately be decided by the Council that this bill should not be passed irrespective of the period—this is only the first reading—we will have very seriously to consider whether, in view of the definite expression of opinion that the Council has given with regard to our balances and the necessity of not trenching any further on the balances, we may not have to give up expenditure on some of the services which the Council considers most essential in order to make up the loss. I feel, Sir, that whatever the view of honourable members may be with regard to the necessity or otherwise of further revenues for further expansion of Government activities, the circumstances in which this bill is brought before the Council and the reasons which have been given why this bill should be passed are certainly peculiar. Were it not for the fact that we should be considerably hampered financially as against the Government of India, the advocates of retrenchment and opposers of any taxation will be justified perhaps in pursuing their ordinary course. I would beg honourable members to take the special circumstances into consideration in forming their judgment. I would mention that no less than 50 per cent. of the total revenues

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under the Stamp Act comes from the Bombay City. The districts contribute a very small proportion and I believe it is about 18 lakhs towards the total of somewhere about one crore. I do not wish to strain that point too far. (An Honourable Member : Where does the balance come from ?) The city of Ahmedabad contributes a large amount. So does Karachi and next comes Poona. (An Honourable Member : Can you give us the figures ? What is the amount contributed by rural area ?) Excluding all urban areas the amount contributed by the rural area to the Stamp revenue is 18 lakhs.

The rates proposed in the bill are the same as in the other provinces. I do not wish to stress that point too far as I do not desire to bring into this matter the question of rural interest *versus* urban interest. But I do wish to make another point in connection with these figures. I understand that there is a feeling among a certain section of the House that the lowest class of people will be hardly hit by the proposed measure. I will entirely disabuse the minds of honourable members of any such idea. There is no increase proposed on transactions upto Rs. 200. Bonds and conveyances are the chief items upto this limit. (An Honourable Member : The lowest classes are also affected.) I am mentioning up to Rs. 200 there has been no increase proposed in this bill or that of the previous year. I think therefore that, if the money is required for purposes in which the Council, I know, takes the most sincere interest, it will think twice before it decides to throw out this measure which ought to be recommended if for no other reason except only for the fact that it is of such great importance in our financial negotiations with the Government of India. I am speaking now of the necessity of extension and not the period of such extension.

I shall be happy to answer further questions that may be asked. I have tried to put this case as dispassionately as possible. I hope that the Council will agree to the passing of the first reading of this bill.

Question proposed.

Mr. H. B. SHIVDASANI (Surat District) : Sir, I rise to oppose the first reading of this Bill. Before Government come before the House to ask for an increase in taxation or the continuation of an old tax.....

Mr. F. J. GINWALLA (Bombay City, North) : Sir, there is an amendment of mine proposing the postponement of this bill to the next session.

The Honourable the PRESIDENT : Order, order. There is a notice given by the honourable member for Bombay City (Mr. Ginwalla) proposing that the consideration of the Stamp Act Amendment Bill be postponed till the next session. I suppose the honourable member relies on Standing Order IV, 4 ; if that is so, he may move it.

Mr. F. J. GINWALLA : Sir, I move :

“That the consideration of the Stamp Act Amendment Bill be postponed till the next session.”

Sir, I wanted to move that the matter should be allowed to stand over till after the demands for grants were voted, but it was pointed out that

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I could not move it, for the simple reason that there was no official day after the days fixed for the voting of demands for grants and there were only days fixed for private business. Therefore, I was compelled to alter the motion and urge for a postponement to the next session. But if the Government benches would make it convenient to allow this matter to stand over for another day after the demands for grants are voted, I shall have no objection; but if that proposal is not accepted, then I shall move the motion of which I have given notice.

The Honourable the PRESIDENT: The honourable member does not require any ruling from me regarding that. It has been pointed out to him that if he moved the motion in the form in which he submitted it first, there would be difficulty. So, that is settled now. But if he wishes to move his motion in the amended form, I have given him leave to move it, and if he has any reasons to urge in its favour he may proceed to do so.

Mr. F. J. GINWALLA: Sir, my chief reason to urge that this motion should be allowed to stand over is that we shall know where we stand after the demands for grants are sanctioned. Government say that there is a deficit of 50 lakhs. Several honourable members have given notices of motions for cuts, and until we know what the total amount of the cuts will be, we cannot know whether this bill imposing taxation is necessary. It is absolutely necessary for the House to know what is the amount necessary to cover the deficit. In the first place, let the House come to a conclusion as to the amount to be cut out. If they cut out 50 lakhs, or 60 lakhs, that will cover the deficit that may be caused by the loss of revenue entailed by the throwing out of the Stamp Bill. Therefore, I submit that this matter should be allowed to stand over till the next session, as it cannot be allowed to stand over till after the demands for grants are voted. The point was raised that if this matter is allowed to stand over till the July session then the Act would automatically expire by the end of March, and the position of Government regarding revenue would be insecure. I do understand that difficulty; I am aware of it; but we have got to face that contingency. This presidency is already heavily taxed, and the people are not in a mood to consent to fresh taxation. There would not be great loss of revenue by postponing it till July: there will be a loss of revenue only from March to July, a period of three months, and the amount will be only three lakhs. I hope the House will carry the motion.

The Honourable Sir CHUNILAL MEHTA: I am afraid, Sir, I must oppose this motion for adjournment. It takes us on to July. The honourable member himself has pointed out the very serious difficulty that will be caused if this amendment is passed. I would much rather have the debate take place and the bill thrown out, if that is the desire of the House, rather than leave it over till July. There is nothing more unsettling to taxpayers than to find a tax jumping up and down within a few months. I think it is really impossible for Government to accept any such suggestion. Therefore, I am afraid that we must oppose it.

Mr. N. A. BECHAR : Is the deficit of 50 lakhs over and above the increased revenue expected from the passing of the Stamp Bill ?

The Honourable Sir CHUNILAL MEHTA : The deficit is 50 lakhs after taking credit for the 20 lakhs under this head. If the bill were thrown out the deficit would, according to our calculation, amount to 70 lakhs. I very much doubt whether any honourable member would be so optimistic as to think that such a big deficit can by any number of cuts that may be passed by this Council, be wiped out. I think the position with regard to our balances has been so fully discussed in the past three days that it is unnecessary for me to explain that the Council cannot very well advise Government to accept an additional withdrawal of 20 lakhs.

Mr. G. I. PATEL (Ahmedabad Millowners' Association) : I want to offer a suggestion to the Honourable the Finance Member. Mr. President, the dilemma placed before us seems to be very serious. If the honourable member agrees to my suggestion it may solve the difficulty. Out of the three official days coming before the days for the discussion of demands for grants, the honourable member should agree to transfer one day, for the discussion of this bill, to a time after the days for the discussion of demands for grants. If the honourable member so desires he can perhaps have part of the non-official days, and I understand some of my honourable friends are agreeable to it. But the transfer of one day out of the three Government days to a time after the 12 days for discussion of grants, would be most convenient and suitable. Then, we shall be in a position to know what cuts we have been able to secure.

The Honourable the PRESIDENT : The Honourable the Leader of the House does not seem to approve of the suggestion. I will therefore put the question before the House.

Question put and lost.

Mr. H. B. SHIVDASANI (Surat District) : Sir, I rise to oppose the first reading of this bill further to amend the Indian Stamp Act. Before Government come to us asking for the continuation of this Act, they must come to us with a clear conscience. They must satisfy the House that they have cut down to the absolute minimum their expenditure and that there is no further scope for retrenchment. Without doing so, they come to this House asking for the continuance of this tax. In fact, every member in this part of the House has pointed out during the last three days that Government have not satisfied the House that they have carried the retrenchment as far as possible. Several members have pointed out that the number of Councillors and Ministers is much in excess of requirement. When I was first elected to this Council, I gave notice of a resolution to the effect that the number of Councillors should be reduced from four to two, but unfortunately that resolution was not allowed by His Excellency the Governor. Still, I thought that when a vacancy took place the matter would be taken into consideration. But nothing has been done. Similarly, I believe the number of Ministers can be reduced from three to two. I think we can easily manage with a Cabinet of four persons. I had also suggested in certain resolutions that

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we can very easily abolish the posts of Commissioners. I do not say that Commissioners do not do any useful work, but looking to the state of our finances, what I say is, are we justified in having such highly paid officers? We have to see whether we can afford to pay these officers. Then, again there are Assistant Directors of Health and the Chief Conservator of Forests. We know that the post of the Chief Conservator of Forests was recently created and there are other officers also popularly known as post offices. Are we justified in retaining these officers, when we cannot afford to do so? I say no. Moreover, we find lately a new allowance has been sanctioned. That allowance is given for dearness to officers working in places like Bombay, Poona and Karachi. It is called the compensatory allowance. I do not see any need for such an allowance, because places like Karachi and Poona are much cheaper than Ahmedabad. And yet, officers serving in Ahmedabad have not been given such an allowance. I think this allowance is given to officers serving in Karachi and Poona, because they are senior officers who carry much influence with Government. If this allowance is really for dearness, then I say Government should discontinue this at once. I do not know how Government can get officers to serve in Ahmedabad without any allowance and how it is that they cannot get officers in Karachi and Poona. As a matter of fact Karachi and Poona are considered prize districts and were sought after even when there was no allowance. I understand that officers working in Ahmedabad and other places are willing to serve in places like Karachi and Poona without any allowance. Therefore, I say this allowance should be discontinued and thereby we shall be saving several lakhs. Similarly, we find that officers who are posted to the Sukkur Barrage are given free quarters and a similar allowance called the "Barrage allowance." This should be stopped. This Barrage allowance is going to cost us with interest about 18 lakhs of rupees.....

An honourable MEMBER : Every year ?

Mr. H. B. SHIVADASANI : No, this is until the completion of the work. If that is the state of affairs, are Government entitled to come before us and ask for further taxation ?

Then, I come to the question of Body Guards which costs us something like 75,000. I do not see why His Excellency the Governor wants a Body Guard. The whole public of the Bombay Presidency are willing to work as Body Guard, if public money can be saved. But I think this is simply for show and nothing else. Further, the Commissioner of Sind has been given a steamer on which he goes for excursions. Are we justified in allowing such a luxury to go on when we find that our finances are not in a good state ?

As regards other allowances I find on the first page of the White Book a note. It is stated as follows :

"There does not appear any figure in the accounts column against local, temporary and provisional, dearness, literary, shorthand and typing, duty and other allowance as the charges are debited to the head "pay."

I do not understand why this note should be appended here. Probably, the idea of Government is to give more and more allowances to their

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officers and in such a manner that the non-officials will not be able to know what increase the Government have made in their emoluments. Or probably, it is due to the strong criticism made by the late Leader of the Swaraj Party who pointed out that Government are giving 40 or 50 allowances to their officers under various different names.

I also find that there is much extravagance in the P. W. D. expenditure. On page 40 of the supplementary budget I find a note, which says :

" Each of these heads was upto now debited with $21\frac{1}{2}$ per cent. on the estimated cost of works and repairs for Establishment and $1\frac{1}{2}$ per cent. for Tools and Plant. These percentage rates have however been increased to 24 for Establishment and 3 for Tools and Plant with effect from 1st April 1927."

Till lat ly the P. W. D. was spending 23 per cent. on Establishment and Tools and Plant for the maintenance and repairs purposes. But this year their expenditure has gone up and that is, I think, due to extravagance. Some members have gone to the length of calling the P. W. D. the "Public Waste Department," but I am not calling it by that name. I can only say that there is much extravagance on the part of P. W. D. From 1st of April 1927 there will be an increase in their percentage of expenditure by four per cent. If you take all items into consideration, what do you find ? You will find that the P. W. D. spends under various heads about four crores of rupees, and the increase in this item of Establishment and Tools and Plant alone would come to as much as rupees sixteen lakhs per year. Moreover, I find that if anybody or any big firm takes any big work in hand, their expenditure on establishment and tool does not amount to more than 7 to 10 per cent. Even the Ahmedabad Municipality does not spend more than 10 per cent. If you take the Sukkur Barrage scheme, there you will find that 31 lakhs and 48 thousands are estimated for this item of establishment which comes to about 20·16 per cent. If the local bodies who work on a small scale are able to manage within a smaller percentage, I ask Government why can they not manage on a similar percentage ? Why does Government require such a high percentage ?

So, you will find from the above that there are several items which Government can cut down, and unless Government makes an earnest attempt in this respect, this House will not be satisfied. They should reduce the expenditure on luxuries and also the number of officers who are not required as I have suggested in the beginning. Formerly, the people were very backward, they were ignorant, there were no Councils and the Government officers had to go to the doors of the people to ask them if they had any grievances and if they were subjected to any *zoolum*. But now it is the experience of every honourable member of this House that there is a great awakening in the country and every day somebody is bringing to his notice various grievances. If that is the state of affairs now existing, is it necessary to have the same number of officers at present ? I do not see any necessity for that.

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Is it necessary to have the same number of officers now as we used to have in the old days when there were no opportunities for ventilating the grievances of the people? Now we have got Councils, questions can be asked, resolutions can be moved and people's grievances can be properly ventilated, and now in the present times I think several officers can be abolished. Government has not made any effort to find out which officers could be reduced owing to the present changed circumstances. Lately they appointed a retrenchment officer. But we are told he was not given any authority to make recommendations for changes in the policy of Government. The officer could only suggest the reduction of a few pattewallas, peons and clerks. He could not suggest the reduction of Commissioners. That question would have been considered a question of the policy of Government. When a member of this House is not allowed to move a resolution that the number of Executive Councillors should be reduced, we can well understand what recommendations a retrenchment officer could make. Moreover, a retrenchment officer belonging to a particular service is not going to make recommendations for the abolition of certain prize posts in that service. He would not be an ordinary human being if he could get over his predilections to the extent of suggesting the abolition of certain prize posts of his own service. I therefore appeal to the members of this House to oppose this bill, though it may appear to be justified by looking to the large amount of the deficit on the ground that the Government has not made any serious or honest efforts to cut down their expenditure to the minimum possible. With these words I oppose this bill.

Mr. V. N. JOG (Dharwar District): Mr. President, I rise to oppose the first reading of this bill. The honourable member who introduced this bill has put it on the ground that there is a large deficit and therefore we must make the loss good by bringing this bill permanently on the statute book. His reason is that in exchange for a larger yield of this stamp revenue we are likely to get a larger yield in the income-tax. I submit, Sir, that this remedy is rather very doubtful. No doubt the honourable member has said that he would not have given out this secret unless in view of the temper of the House he was constrained to give it out. I understood him to mean that we must raise our stamp revenue with a view that the Government of India might be induced to give us in return in exchange a larger sum. Now, if this move is known, I do not know whether, in the future negotiations, the Government of India will take for the purpose of exchange the past revenue or the revenue which we by this means increase. Therefore, I submit, Sir, that instead of trying to have a surer remedy which is in our hands, namely, of reducing the tax, we are running after a thing which might be successful or might not be. In this view of the thing, I place before the House a few considerations for the rejection of this bill. The first consideration is that the taxable capacity of this province is reached. It has been often said in this House that this bill was given sanction to by this House only as a temporary measure for four years. Taking into consideration certain circumstances in the last year the House agreed to extend its life for one

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year, and now the honourable member wants to place this permanently on the statute book. That is, this will be a permanent burden on the taxpayers of this province. I submit, Sir, specially that this a very inopportune time to introduce this bill. No doubt during the course of these three days we have heard a good deal of the famine prevailing in the various parts of the presidency. No doubt an objection was taken by certain members on the opposite bench that there is a feeling that the famine is so very widespread but that prospect was rather wrong. But whatever that may be, the several parts of this presidency have been severely hit; at least that part of the country from which I come, namely, the Karnatak. The Bijapur district is very severely hit and also a part of the Dharwar district. In this view of the matter, I ask whether it is opportune at this time to introduce this bill, the incidence of the tax falling on the poor.

Sir, the House will take into consideration who are the people who are to give this revenue? This is a time when, as the honourable members must have read in the papers, several people are selling their lands and mortgaging their lands and even leaving their places. So in this connection it is worth while to note that the transactions like mortgages and sales and of even borrowing loans on bonds shall frequently take place in a large number during this year and the consequence is, if the tax is raised particularly in this year from the 1st of April, those poor people who are obliged to mortgage, to borrow and sell their property will be very hard hit. It is not that ultimately the person who is taking the bond pays this amount. It is the poor agriculturists who are likely to pay for the stamp, especially in the cases when they have to borrow and when they have to mortgage the property. So, Sir, I submit that this bill should not be given sanction to in this year.

The second question is that it has been pointed out in the last year's debate that already the rate in this respect is very high compared to the rate even in England, and the Taxation Enquiry Committee has said in its report that the whole question is to be reconsidered as to whether the rates are to be reduced. It is an admitted fact that the rates are higher in this country than elsewhere.

An argument might be advanced that the other provinces have raised their duties and so the Bombay province must raise its duties. We do not know what are the circumstances with respect to other matters in the other provinces. We know from the very figures which have been given by the Honourable the Finance Member himself in his budget speech that the incidence of taxation is very high in Bombay. The other provinces might be better off in other respects and they might agree to raise this tax. That is not the case with Bombay, and therefore the analogy which has been put forward does not hold good.

The next thing is that if this revenue is to be taken by the Government of India, then there will be the question whether this piece of legislation will remain (because I am not quite sure about this and I hope the Honourable the Finance Member will enlighten me on that point) as a provincial legislation or whether the whole will be taken up as central

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legislation. In that case, if our Stamp Act is repealed and the Government of India takes the whole legislation in its hands, then there will be no possibility even in the best of circumstances to introduce a bill to reduce that Stamp duty because then the whole question will be an all-India question and as the other provinces have already increased their tax, it will be very difficult for any member of this province in the Assembly to introduce a bill to reduce it and get it passed.

The Honourable Sir CHUNILAL MEHTA : Therefore, what follows ?

Mr. V. N. JOG : We may not get the support of the other provinces who are willing to have the rates raised and so they will not be in sympathy with Bombay and Bombay members will find it very difficult to get a reduction even by introducing a bill to reduce the tax. With these considerations, I beg to oppose this measure.

MOULVI RAFIUDDIN AHMAD (Central Division) : I am very sorry, Sir, to observe, that the first born of the Honourable the Finance Member in this session is a very ugly creature. I wish we could nurse this child, but it is very difficult unless the Honourable the Leader of the House modifies it or gives us a satisfactory explanation to enable us to support it.

The Honourable the Finance Member has put forward some of his grounds. He has already referred in his speech to the Meston Settlement, under which we already lose half a crore of rupees. If the Government of India know that the Government of Bombay can always get money from the Council and that the Bombay Government can always get these taxes sanctioned by this House. I ask, in fairness, to the Honourable the Leader of the House, will the Government of India very easily yield to the arguments of the Government of Bombay regarding the settlement ? Has he taken that aspect of the bill into consideration ? I know, as he has himself mentioned, that this is a subordinate Government of a subordinate Government. Seemingly he may say that his Government is trying to satisfy the Government of India and is loyal to them, that it is trying its very best to get the Council to sanction funds, but he might at heart be pleased to see that the Council opposed the bill. I do not say that this is the only consideration, but I consider it very important. Should he convince me on this point and say that the Government of India will yield, I may fall in with his views and vote in favour of his bill. Sir, I reserve my judgment upon this motion, and I hope other honourable members of the House will do the same until the objections are satisfactorily answered by the Honourable the Leader of the House. With these criticisms I leave the bill in the hands of experts.

Mr. LALJI NARANJI (Indian Merchants' Chamber) : Sir, this is a measure asking this House to continue to supply funds to Government who have rendered their accounts for the previous year and who also propose to dispose of the moneys that will be placed at their disposal for next year. The Honourable the Finance Member will realise that

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this part of the House will always be reluctant to supply any more money unless it is satisfied that the money that had been supplied all these years was utilised for its benefit, and that the money was not wasted, and so long as there is a belief in this part of the House that the money which it supplied to Government, to which the Honourable the Finance Member has the honour to belong, has been wasted, this House will not readily sanction any bill or any measure which will continue to supply more funds to Government which is adamant and which will not carry out the wishes of this House. Not only that but the Government to which the Honourable the Finance Member belongs has even not had the courtesy to take the blame upon itself. I find that the predecessor of the Honourable the Finance Member, Sir Henry Lawrence, threw on the members of this House all the blame, as was reported on 12th November 1926, when the Honourable the Finance Member's predecessor gave his evidence in London before the Mears Committee. He said that it was quite open to the members of the legislature. He did not care to refer to the disabilities under which this legislature was labouring, and yet he threw all the blame on the legislators who, he said, went on supplying Government with money approving of everything that the Government did and so, Sir Henry said, whatever was spent on the Back Bay by the Government was spent with the approval of the legislature. This evidence he gave before the Mears Committee where he said that not a pie had been lost. That being so, the Honourable the Finance Member asks this House to contribute 27½ lakhs which is half the amount of the deficit which he has shown us in the present budget. I quote his own predecessor whom the Honourable the Finance Member quotes. Though he knew it perfectly well, for he himself proposed 20 lakhs last year and 7½ lakhs are added, he said that not a pie had been lost. This appeared in very big headlines in the "Times of India" of 12th November 1926. This is the way in which this House has been treated for all its generosity in granting all the demands that the Government made under different excuses. How long is this House going to be satisfied with this state of affairs? Unless this House is satisfied that Government have made all possible efforts to retrench and to stop all their mad adventures which they are still going to continue, Government should not expect this House to sanction any more money.

Another thing which I would refer to is that the Honourable the Finance Member has mentioned certain negotiations with the Government of India. I do not follow what these negotiations actually mean. We were informed that we are entitled to get the Meston Settlement modified so that we can get a portion from the income-tax revenue. Now to-day it is said to this House that we shall get as much as we will surrender from the revenue from the Stamp Act to the Government of India. Where is the gain? That was also reported to this House, Sir....

The Honourable Sir CHUNILAL MEHTA : May I tell the honourable member that it is entirely irrespective of our claim for the revision of the Meston Settlement, entirely apart from that. This is only a proposal

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made up by the Government of India on the recommendation of the Taxation Enquiry Committee, and if we find that that proposal will be favourable to us there is no harm in accepting it. We have reserved our right to all our claims that we have made with regard to the Meston Settlement.

Mr. LALJI NARANJI : With regard to the information just given to us, I will look at the matter from his own point of view, that we were entitled to the income-tax. That was our first claim. Now under the negotiations now going on we are going to get only as much amount as we agree to surrender from our Stamp revenue....

The Honourable Sir CHUNILAL MEHTA : We are not doing anything of the kind. We are not giving up any of our claims for the revision of the Meston Settlement which was in respect of a share in the income-tax and a redistribution of resources. That we are still asking for. This is only a recommendation which the Government of India propose to accept from the Taxation Enquiry Committee's report relating only to the stamp revenue. The Committee pointed out the difficulties in the different provinces, and came to the conclusion that it should be a central source of revenue. On that the Government of India wrote to us suggesting that we should take that in lieu of the Meston Settlement, but we absolutely and flatly refused to do that throughout our negotiations, and this is entirely independent of anything that we claim as regards the income-tax, or assistance in any other shape from the Government of India.

Mr. LALJI NARANJI : From the information that the Honourable the Finance Member has given just now, we find that the Government of India have not given up the opportunity of suggesting that this should come as an adjustment of the Meston Settlement, but I will be quite satisfied if the Honourable the Finance Member who is negotiating the matter is satisfied that this is not going to prejudice our claim to a share of the income-tax, because this is an industrial province. If this matter is not going to prejudice our claim to a share of the income-tax, I do not wish to refer to it.

Another thing that I wish to point out is that in regard to the revenue from non-judicial stamps, the Honourable the Finance Member said that we received nearly Rs. 10 lakhs to Rs. 12 lakhs less. But if we compare the figures of 1925-26 with those of 1926-27, it will be seen that we have not received anything less. In the accounts for 1925-26, the figure is Rs. 98 lakhs, and the revised figure for 1926-27 is over Rs. 1 crore, and the estimate for 1927-28 is for over Rs. 1 crore. I do not see how the revenue from non-judicial stamps has fallen by Rs. 12 lakhs, except that it is only in the budget estimate of 1926-27. If the Honourable the Finance Member argues that there has been a fall of Rs. 12 lakhs in the stamp revenue from the budget estimate of 1926-27, then he is correct, but what I want to point out is that we will not lose very much from non-judicial stamps, as will be seen from the figures for 1925-26, 1926-27 and the estimates for 1927-28. That is what I want to point out.

The Honourable Sir CHUNILAL MEHTA : I am afraid I cannot follow the honourable member. Surely, it necessarily follows that if we reduce the rate at which these revenues have been calculated, then our revenue must suffer. So that, if the rates proposed in the bill, which are continuing to-day, are not allowed to continue next year, then our stamp revenue will be Rs. 20 lakhs less than is estimated for next year.

Mr. LALJI NARANJI : I agree to that, but what I want to point out is that there has been no reduction from 1925-26 to 1927-28. So, it will not prejudice our claim against the Government of India if these negotiations prove successful.

Then, Sir, the only thing that I will refer to is this. This should not be considered as a bill to amend the Stamp Act. This is a feeler to see what the temper of this House in the matter of helping Government with further funds is, whether the wishes of the non-official side of the House are carried out by Government or not, with the majority that Government might command. The only question is whether this House is satisfied with the budget that is presented only three days ago, and which has been discussed thoroughly, and whether they wish, as a token of their approval of that budget, to supply Government with more funds. I am sure that all the sections of this House are not inclined to supply Government with more funds till Government have satisfied all the sections of the House that they are going to utilise the money according to the wishes of the various sections. The motion to adjourn the bill to the next session that was brought by my honourable friend Mr. Ginwalla would have given an opportunity to this House to discuss what cuts should be accepted by Government. If Government are not prepared to accept any cuts, then we have to consider whether we should give our support to further taxation, and I do not think that anybody will give any more money to Government unless he is satisfied that that money is going to be utilised for his benefit. It is up to Government to satisfy this side of the House as to their legitimate demands for the moneys that are asked for, and to satisfy us that they will not blame the legislature for any mistakes that they may make by saying that the legislature has done everything, when they know that the legislature, for certain reasons, is not able to control the expenditure.

Sir, as to the details that the previous speaker has given, I do not wish to go into them, because I have already made my remarks in regard to them. I would suggest one principle to the House, and that is that unless Government satisfy us that they are not going to continue in their follies and adventures, which are the true causes of the ruin of the finances of this presidency, this House will not be inclined to support any more taxation or to supply any more funds to the Government. With these words, I oppose the principle of supplying any more funds to the Government.

Mr. A. DUGUID (Karachi Chamber of Commerce) : Sir, I rise to support the first reading of this bill. During the budget discussion of the past few days, it has been made abundantly clear that every effort must be made by this honourable House jealously to conserve all existing sources of revenue.

[Mr. A. Duguid]

I am sure all honourable members will agree, Sir, that this presidency, in the present state of its finances, cannot afford to relinquish one anna of its customary receipts, if it is to avoid taxation in other directions.

The form of taxation which the bill now before this honourable House is calculated to render permanent is a form to which those interests affected have become fully accustomed, the revised schedule of stamp duties having been in force for the past five years.

Mr. A. D. SHETH: I rise to a point of order, Sir. Is the reading of a speech allowed?

The Honourable the PRESIDENT: I will allow that in this case.

Mr. A. DUGUID: In view, therefore, firstly, of that desirable uniformity in the matter of stamp duties throughout India which the present proposal will create; in view, secondly, of the obvious fact that all existing sources of revenue must be tapped to the utmost not only in the present, but for many years to come; and in view, thirdly, of the fact that the present proposal calls upon no addition of the community to bear any additional burden, I submit, Sir, that honourable members cannot reasonably refrain from lending their support to this measure.

Rao Bahadur R. R. KALE (Satara District): Sir, the motion before this House is for the permanent increase of the stamp duties. It has been said that in other presidencies that has already been done, but our presidency has always earned a reputation for sanity and prudence. Members on the Government benches have given us credit for possessing that sanity and prudence; we have so far exercised that prudence, and the traditions of the House therefore require the exercise of that prudence in future. The Stamp Act which deals with non-judicial stamps as well as the allied Court-fees Act which deals with judicial stamps, are really Government of India Acts, and the stamps, judicial, non-judicial and postal are all governed by Government of India Acts. The Act now sought to be amended, and you will see from the copies of the Act supplied that it is an Act of 1899, and that it has been amended so many times by the Government of India itself. The Act has been amended in 1900, 1904, 1906, 1910, 1912, 1914, 1916, 1919, 1923 and 1925. From time to time, it is that Government, namely, the Government of India alone which has amended it. It is only since the reformed constitution came into operation that, as a temporary measure, power was taken by the local Government, so far as our local Government was concerned, to amend the Act, so as to provide an additional source of revenue; and therefore the use to be made of that power also has been confined only to a temporary period.

In the year 1922 when this proposal was brought forward, it was fully discussed and gone into. The Council considered that there was a deficit in that year and there were proposals for retrenchment. In order to give time to Government to just rectify its position and see its way to improve its finances or reduce its expenditure, as a temporary measure the House consented to the passing of that Act on the distinct understanding that within the time allowed for Government they should

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try to make both ends meet. That was done in 1922. The period expired last year and the matter was brought for the consideration of the Council again for the same reasons and an extension of one year was asked. The then Honourable Finance Member told us that in order to facilitate their negotiations with the Government of India regarding financial matters the enhanced duty should continue for one year. In that argument the old Finance Member was correct. Now, an attempt is being made to make the enhanced stamp duty a permanent measure. The greater part of the argument advanced by the Honourable the Finance Member was devoted to the fact that it was intended by this to impress on the Government of India that the income for the Bombay presidency from the stamp duty was so much in order that they might take into account this fact in considering the question of taking up the Stamp Act to itself under the new tax proposals. That was I understand the reason given by the Honourable the Finance Member. My submission is that the Government of India are neither so short-sighted nor so ignorant as to forget the various amendments of the Stamp Act. Will the Government of India be brought round into taking this revenue by merely making it permanent. This is really expecting too much and if at all the Government of India wants to take up this Stamp revenue, it is in their power to do so; they can increase the stamp duties to any amount. If they want to have a larger revenue it is up to them to increase the stamp duties. (The Honourable Sir Chunilal Mehta : After having paid us less.) To argue that because we get less stamp revenue, the Government of India will be disposed to give us less income-tax is fallacious. If the arguments advanced here were placed before the Government of India they will readily be convinced of the situation in this presidency. A great burden has been imposed on us by the Back Bay and other schemes which have reduced the finances of our country very low. Bombay presidency cannot be compared with the other major provinces where there are no such development schemes. Our presidency has already been taxed to its fullest capacity and its resources are exhausted. If the case of our presidency is argued by an advocate before the Government of India I am quite sure that the Government of India will appreciate the arguments and will not think of reducing its share of income-tax to this presidency simply because the stamp revenue in a particular year happens to be on a low level. It is entirely in their hands and they will be in a position to see the incapacity of this presidency to bear any more taxes. We need not make a show for merely fascinating them. Are they likely to be misguided by such action of ours? They must be convinced of our arguments on the merits of our case and not on what has happened in one year. If the debate on this subject is read by the Government of India that the Bombay Government have increased the duty on stamps simply for the sake of extracting greater share of the income-tax revenue from the Government of India what will they think? Are the Government of India so short-sighted as to force upon us this stamp duty while our capacity to pay is exhausted? I therefore submit that our case for a greater share in the income-tax

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must be fought independently on its own merits and you cannot place reliance on such arguments. I must say that by such arguments your case will not be strengthened but on the other hand weakened.

Another point made by the Honourable the Finance Member is that the burden of the duty on stamps will fall upon the Bombay city and the mofussil will not suffer much. I submit, Sir, here also we must remember the first point that the question should not be converted into one of mofussil *versus* the Bombay city. I refer to the court-fees. That does not fall on the High Court at all. The Court-fees Act was amended in 1922 and this point was brought to the notice of the House. While in the mofussil they pay heavy institution fees for big plaints, in the city of Bombay no institution fee is paid even though the plaint amount may be in lakhs, except a trivial fee. The fee paid on the original side of the High Court is comparatively trivial when compared with the fee paid in the mofussil for the institution of plaints. On the appellate side also the same fee is charged. So, the mofussil people are paying a large revenue in the shape of judicial stamps even though we may not be paying as they do in Bombay in the case of non-judicial stamps. Therefore the Honourable the Finance Member cannot avail himself of this argument in support of his case.

Then it was stated that the depression of trade has affected the stamp revenue. My submission is that even now if you raise the rates there is no guarantee that you will get increased income. On the contrary, if you raise the tax people will resort to indirect methods of avoiding the stamp duty. I think this argument will be appreciated by honourable members. If the duty is light they will pay it, but if the duty is heavy they will try to avoid it. Last year's experience will show what the result of increasing the stamp duty was ; this year it will be the same. There will be neither increase nor loss of income on that account. These are the reasons which will have to be borne in mind by honourable members in deciding the question whether this increase should be made permanent.

I have only to add at the end about the necessity of funds. The Council will always support such a measure if the proceeds from it are spent on nation-building departments year after year. Year after year we have been asking for more and more provision for these departments. Absolutely there has been no progress in these directions. Therefore, I must say that this money is not being raised for any specific purpose of the kind I referred to ; it is simply to go to the general revenues. In these circumstances honourable members should not consent to this proposal. If proposals for taxation are placed before the House with an indication that the money is required for desirable purposes, then certainly the House would be prepared to give assent to them, but until that is done I do not think we can consent to any fresh taxation.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Mr. President, the Honourable the Finance Member was irrelevant in his budget speech referring to extraneous matters and directing tirades against the

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non-co-operation movement and the Swaraj party. In the same way, in his speech on the first reading of this bill, he has brought in irrelevant and extraneous matters. He has brought the question of the negotiations that are going on between the provincial Governments and the Government of India. I cannot attribute motives to the Honourable the Finance Member, but I think perhaps the idea uppermost in his mind was that some of the members might be induced to pass this measure in the hope that it would bring some more revenue in the future. But the negotiations that might be going on between the Bombay Government and the Government of India have got no connection with the matter that we have at present in our hands.

Another point is that I cannot understand why the stamp revenue should go to the Government of India and a portion of the income-tax should come to the provinces instead. If that is done, that would be a revision of the Meston Settlement. When the Taxation Enquiry Committee was appointed the Government of India avoided the question of the revision of the Meston Settlement. That question was not put as an issue before the Taxation Enquiry Committee, because the settlement was so iniquitous that the Government of India did not wish to put it for revision by that Committee. Now, after the report of the Committee is published, the Government of India want to take the provinces into a snare; perhaps their object is to deceive the provinces when the revision of that settlement comes. We know that we have now Land Revenue, Excise and Stamps as provincial revenues under the Meston Settlement. After these negotiations are over, we shall have Land Revenue, Excise and a portion of the Income-tax as provincial revenues. Still the Honourable the Finance Member says that it will not be a revision of the Meston Settlement. I think these negotiations will practically amount to a revision of the Meston Settlement. In pre-Reform days Land Revenue and Income-tax were shared half and half between the provinces and the Government of India. The industrial provinces were getting half of the Income-tax and half of the Land Revenue, and in that way there was equity throughout the country. But in the post-Reform period, on account of the Meston Settlement, the industrial provinces lost the whole of the Income-tax and got only the Land Revenue. Owing to this arrangement they have been hit hard, and the evil effects of that arrangement we have witnessed during the last six or seven years. Therefore, the first thing that the Provincial Government should do is to get a revision of the Meston Settlement before entering into negotiations as regards the surrender of the Stamp revenue. The Government of Bombay will be the losers if they enter into negotiations about the surrender of the Stamp revenue in lieu of a share of the Income-tax; the negotiations will not be in favour of the Bombay Government. Therefore, the Government of Bombay should refuse to enter into negotiations until a decision on the revision of the Meston Settlement is given, because the share of the Income-tax to which the Bombay Government are entitled will be pre-judged if these negotiations are finished before the revision of the settlement

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takes place. The other provinces that are likely to benefit might enter into negotiations, but the Bombay Government should refuse to enter into negotiations of this sort. The tactics of bringing negotiations between the two Governments for the purpose of inducing this honourable House to accept the perpetuation of this tax is not one that ought to have been followed by the Honourable the Finance Member. I oppose the continuance of this measure.

At the same time, I want to point out to the Honourable the Finance Member that his argument about urban and rural areas is fallacious. He must look at it from the point of view of the rich and the poor. If he does so, then he will realise that this tax falls more heavily on the poor than on the rich. Who sells or mortgages his house or land? It is the poor man who has lost everything, has no other means of livelihood, has nothing to eat and cannot maintain himself. It is such a man who has to mortgage his fields for the purpose of paying the assessment when the crops fail. In this way, it is the poor man who will be forced to enter into negotiations with some rich man for the purpose of getting money at the time of need. And do you think the rich man who has got money in his hand will pay the duty? It will be the poor man who will be paying the tax. Instead of looking into the question from the point of view of urban and rural areas, let us consider it from the point of view of the rich and the poor. In Bombay also, who are the people who are compelled to sell their houses? It is the poor people. And it will be on the poor people of Bombay that the stamp duty will fall and not on the rich people. The rich people will be able to strike very good bargains as they have plenty of money, and the poor people who have to sell away what little they have will have to pay the additional stamp duty at the time of sale or mortgage.

This was, I think, one of the arguments used against the raising of the Stamp duty in Bombay by 20 per cent. It was made 3½ times as much as it was formerly and it was then pointed out to the Government that it will fall on the poor class rather than on the rich class. Therefore, unless the House has been satisfied that on some solid grounds the continuation of this taxation bill is sought by Government, it will not be possible for this House to accord its sanction. I, therefore, most vehemently oppose this measure and hope that the House will throw it out.

The Honourable the PRESIDENT: I call upon the honourable member Mr. Sardesai to address the House, but I would remind him that there are only ten minutes for the adjournment of the House for tea, and I want to know whether he will be able to finish his speech by that time.

Mr. S. A. SARDESAI : Sir, I will not be able to finish in ten minutes.

Mr. N. B. CHANDRACHUD (Poona City) : Sir, I will be able to finish in ten minutes. I oppose this motion and in doing so my first and foremost reason is that contained in the statement of Objects and Reasons, which I shall just read. It is stated therein :

" A Bill making the act permanent was introduced in the session of the Bombay Legislative Council which met in February 1926 but the Legislative Council agreed to an extension of the Act by one year only. "

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From this it will be noted that Government wanted to put this Act permanently on the Statute Book, but the Council only allowed the extension of one year. Now, let us look at the history of this bill. What is the history of this bill? In the year 1922 for the first time this bill was brought before the Council with the object of increasing the duty on Stamps. At that time the House thought that as the finances were more or less not sound owing to war conditions, the measure was passed to remain on the Statute Book for four years. Only the last year there was an attempt on the part of Government to make the bill permanent, but the House refused to have it permanently on the Statute Book. So, the Government, as a sort of compromise, or call it, as a sort of "give and take," consented to have the measure on the Statute Book for a period of one year only. I, therefore, put it to the honourable members of this House: "Is it not a fact that the members of the last Council refused to have this measure permanently on the Statute Book? And if so, do we not owe that the traditions of this House should be preserved? Is it not an insult to our predecessors in the Council, if we allow this measure to remain permanently on the Statute Book? I, therefore, say that in order to keep the traditions of this House, we are bound to throw off this bill.

My second reason is this. This tax¹ is a "direct" tax and as far as possible there should be a tendency on our part to discourage direct taxation. The Honourable the Finance Member stated that 50 per cent. of the stamp revenue is contributed by Bombay alone. I do not know this, but we have to rely on his words.

The Honourable Sir CHUNILAL MEHTA: Do not rely on me. It is dangerous to rely on anybody. You can refer to the statistics.

Mr. N. B. CHANDRACHUD: We cannot rely on statistics. Statistics can prove that India is rich, statistics can prove that India is poor. Statistics can prove anything. However, we take it that Bombay contributes about 40 to 50 per cent. of this revenue. But we have to remember that many of the documents of mofussil are registered in Bombay, because many persons from mofussil come to Bombay to register their documents for the sake of secrecy or want of publicity, and many other causes. The Bombay High Court have jurisdiction to register such documents from mofussil, but this cannot be done in mofussil. So, there is nothing to satisfy us that Bombay alone contributes 50 per cent. of this revenue. However, taking for granted Bombay alone contributes 50 per cent., I ask who pays this tax? The tax is paid by poor and middle class people. Because we find that it is this class who has to borrow money every now and then and not the rich persons, and they have to pay stamp duty in preparing documents. We must remember that rich persons are always unwilling to sell the immoveable property, but the agriculturists sell their immoveable property, when they are in difficulty and have to enter into such transactions. Supposing, he has to do a transaction for Rs. 500; he has to purchase a stamp of Rs. 7-8-0, and in proportion to the stamp fee, he has to pay registration fee and so

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on. You will find from this that if he has to make a sale deed for Rs. 500, he will have to spend about Rs. 30 or Rs. 25 towards stamp duty, lawyer's fee and so on. I therefore submit that this is a direct tax and should be reduced to the utmost necessity.

My third point is this and it is most important. Government do not take into consideration the popular demands of this Council at all. During the last three days we find that speaker after speaker of every province, and of every community has impressed upon the Government the necessity for retrenchment. But Government do not seem to pay attention to it and treat the popular suggestions with indifference. So, what should we do in that case? What is in our hand to do? I say we have to tell Government point-blank that we are not going to pass any measure—at least you may do whatever you like—but we shall go against any measure that will be brought forward for increasing the taxation in this country.

Mr. R. G. PRADHAN (Nasik District): Mr. President, I rise to oppose the first reading of the bill. It appears to me that in commending the bill to the acceptance of the honourable House, the Honourable the Finance Member has imported considerations which, though not unimportant in themselves, cannot be decisive in determining our attitude towards this bill.

I find with considerable regret that in the course of the debate on this bill the main issues which ought to weigh with this honourable House have been obscured. The principal issue which ought to influence our judgment is not the consideration, however important in itself it may be, which the Honourable the Finance Member has placed before us, but whether the rate of stamp taxation which is embodied in the present Act and which this bill seeks to perpetuate, is just in itself, whether it is not oppressive. If the question is considered from this point of view which ought to be the decisive point of view in determining our attitude towards this bill, I feel confident that this honourable House will not have the least hesitation in rejecting this bill. The case against the perpetuation of this Act has been thoroughly discussed, in fact discussed threadbare, in the last budget session of this Council and no other honourable member than Dr. R. P. Paranjpye, who was then on this side of the House, has expressed that case with effectiveness. In his speech on this bill, he says:—

“As a matter of fact the recommendations that have been made by the Taxation Enquiry Committee are generally in the way of diminishing the stamp duties. If you will refer to page 355 you will find in the summary of the recommendations (last paragraph), that ‘in the case of taxes on transactions levied through means of stamps a revision of the rates in the direction of reduction has been proposed. In the face of this recommendation of the Taxation Inquiry Committee, I think Government should have stayed even at this late hour before coming forward with a bill for the continuance of the enhanced rate of stamp duty.’”

In other words, the position is plain, as plain as it can be. It is this that what is wanted in the interests of the taxpayer is a reduction of the existing rate of stamp duty. It has been pointed out by the Taxation

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Inquiry Committee that the rates of stamp duty, not as raised by the existing Act, but as they are embodied in the old Government of India Act, are much higher than those which obtain in many of the European countries including England, and the finding of the Taxation Inquiry Committee is that the existing rates are oppressive, unfair and inequitable and therefore the reform that is urgently needed is not to perpetuate the existing rates, whether the old rates as embodied in the Act of the Government of India or the rates which are embodied in the Act of the local legislature, but reform in the direction of a reduction. That is the position and yet in face of this explicit recommendation of the Taxation Inquiry Committee, the Honourable the Finance Member comes forward with a measure which seeks to perpetuate the enhanced rates which must be doubly oppressive to those who will be affected by this Stamp Bill. This is the real question. These are the considerations which ought to weigh with us in determining our attitude towards this bill and not the extraneous considerations which have been put forward by the Honourable the Finance Member.

I will not tire the patience of the House by referring to those considerations, but I must say that I am not at all able to appreciate the kind of negotiations which the Honourable the Finance Member is carrying on with the Government of India and by means of which he expects to get some share in the income-tax. I should be prepared to agree to these negotiations which he says are going on at present if thereby we can force the Government of India to give us at least half of the income-tax, but that does not seem to be possible, and of course, as the negotiations are going on and as they have not yet been concluded, and as a matter of fact we do not know what those negotiations are, what is the stage they have arrived at, what is the point of view of the Government of India ; as we do not know all those things, simply because the Honourable the Finance Member expects that thereby we shall be able to get some share of the income-tax, are we to discard our responsibility by the electorates which have sent us here, and perpetuate the already heavy burden of taxation ? That is, I say, the gist of the matter. As I have repeatedly said, in view of the fact that the existing rates are already too high, the proper reform is in the direction of a reduction of the rates of the stamp duties. Our plain duty by our electorates, by the people whose interests and welfare are committed to our care, is to reject this bill.

Rao Sahab D. P. DESAI (Kaira District) : Sir, in the first place I owe an explanation to the Honourable the Finance Member regarding certain statements I made in my budget speech, and about which I told him yesterday that I would fully explain the matter to-day. I thoroughly agree with the honourable member the Finance Secretary when he says that Government figures and statistics should be read with caution. From that statement I gather that.....

Mr. N. E. NAVLE : I rise to a point of order, Sir. Is the honourable member opposing the bill or supporting it ?

The Honourable the PRESIDENT : There is no point of order there. Let the honourable member speak.

Rao Saheb D. P. DESAI : I shall tell the honourable member presently whether I am opposing or supporting the bill.

Government figures at times, if not always, are rather misleading, but I think if we examine the statement as given on pages 30 and 31 of the budget again, the Honourable the Finance Member will find that I am not at all wrong. The revenues have increased by Rs. 2 crores, but the nation-building departments have received less and the reserved departments have received more. To that statement I still adhere. Even if we grant that those statements are not correct, and they are put in there simply for the sake of comparison, I would invite the Honourable the Finance Member just to refer to the note placed before this House by the Government in the year 1922, on the 25th of February, in which they have given the comparative figures, and from that you will at once find that in all an increase to the extent of about Rs. 3 crores has been made in the salaries of the reserved and the transferred departments. But considering the number of officers, clerks and other servants in the respective departments, you will find that the reserved departments receive a far larger proportion of this increase than the transferred departments. You will also find—and I have prepared this note from that statement placed before the House—from that note that the I. C. S., and for that matter all the All-India Services received increased salaries during the last few years, and the increase of their salaries came to about Rs. 30 lakhs, and if we add to this amount the Rs. 10 lakhs of the Lee Commission, it brings the total to Rs. 40 lakhs, and if we add to this the increases in the provincial side of the service, it comes to about Rs. 70 lakhs. Regarding the clerks and other minor servants employed by these departments, you will find that there is a clear increase of Rs. 2,26,00,000. I think that if the statement as given in the Blue Book be wrong and misleading, and has got to be read with caution, this statement need not be read with caution. It must be the actual amount, because it refers to salaries.

The Honourable Sir CHUNILAL MEHTA : Rs. 192 lakhs was the increased expenditure on the reserved departments ?

Rao Saheb D. P. DESAI : I may state here that I may be wrong to the extent of Rs. 10 lakhs according to that statement ; and the amount may come to about Rs. 182 lakhs. I do not think in that statement you could reduce the amount by more than Rs. 10 lakhs. At the same time, the statement is correct as regards the transferred departments, that is, the nation-building departments get about Rs. 4 lakhs less. Here again, I should like to explain one point to the Honourable the Finance Member. I fully realise, and I know, that the Public Works Department does get about Rs. 50 lakhs from borrowed funds, but I have not calculated that amount, because in the pre-Reform years this expenditure was always incurred from the ordinary revenues, and the policy as laid down by this Council is never to incur expenditure from borrowed funds for the ordinary expenditure of the Government.

[Rao Saheb D. P. Desai]

Coming to the bill, I oppose the first reading of the bill. I should have very much wished that Government had brought this bill at the July session. In fact, I consider it an insult to the commonsense of this House that this House would not be able to reduce the budget to the extent of about Rs. 21 lakhs or so. Supposing this House reduced the budget by sundry motions for reduction or omission by about Rs. 60 lakhs, then I think there would be no need for the Honourable the Finance Member to bring in a bill of this nature, and I should have very much wished that my honourable friend's amendment to adjourn the consideration of this bill to the July session had been accepted by the House. In fact, from the constitutional point of view, it is for the Government to ask for money. We all know that, and it is for the House to give the money. It is inherent in the nature of such an assembly, particularly a legislative assembly to refuse all moneys. That is our nature, and it is the nature of the Government to ask for money; our nature is *prima facie* to refuse demands for money, to refuse all proposals for taxation. But we do agree to give funds when we are convinced that the amount asked for is actually necessary under the circumstances, that without that amount the Government could not go on, that peace, progress and order and all that which goes with a civilised Government are in danger. Unless we are convinced that the amount is absolutely required for carrying out the Government, we cannot give more money by way of fresh taxation bills.

The Honourable the PRESIDENT: Order, order. May I just for a moment point out that, in order to save the time of the House on such an important motion as this and to enable a larger number of honourable members to take part in the discussion, honourable members should, as far as possible, avoid repetition of arguments or sentiments?

Rao Saheb D. P. DESAI: Sir, I shall finish within two minutes. The argument was advanced by the Honourable the Finance Member, which his predecessor referred to, is that this bill refers to cities like Bombay, Ahmedabad, Karachi and so forth. To that, I give him this reply. even Bombay is an island; it cannot subsist by itself. Whatever charges the city has to pay, it has to throw on to the shoulders of somebody else, and who are these people on whose shoulders this tax will really fall? They are the customers or clients of Bombay. And who are the customers of Bombay? The customers of Bombay are the mofussil people. Bombay is at best a terminal market: it pays nothing of its own. It is simply a vast distributing centre; it is a city living upon its customers. That is Bombay city. So, as a member from the mofussil, I would again request the Honourable the Finance Member not to give expression to such arguments before this House, and never to try to set the mofussil against Bombay city or Bombay city against the mofussil, or capital, commerce and industry against labour and labour against capital. With these remarks I oppose the first reading of the bill.

Mr. N. G. MAJMUDAR (Sholapur City): Sir, I rise to oppose the first reading of this bill. The arguments that have been advanced by

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the Honourable the Finance Member in support of his motion are first that there is a deficit in the budget, and second that by continuing this taxation we shall be able to secure better terms in our negotiations with the Government of India. With regard to the first point, *viz.*, the deficit in the budget, I ask whether it appeals to the House that merely because Government manages to present a deficit budget every year the House should go on sanctioning expenditure after expenditure and tax after tax every year. By extending the life of such taxes the impression is created on the Government that the members of this House are in the habit of talking and talking only ; but that when it comes to the question of voting, Government is able to get the grants they demand and to get sanctioned any kind of taxation they propose. I ask the Honourable the Finance Member whether any steps have been taken by him to reduce the expenditure in view of the fact that the general cost of living has been falling since the year 1922. If he refers to the index numbers for wholesale prices that are published in the *Labour Gazette*—and, Sir, I hold the *Labour Gazette* for January 1927 in my hand—he will find that in the year 1921 the index number for wholesale prices of all articles was 199, while for the year 1926 it was 149—a fall of nearly 25 per cent. May I enquire if the Honourable the Finance Member has reduced the expenditure to any extent, and if he has, has he reduced it by 25 per cent. in proportion to the fall in the index number ? According to the speech of the Honourable the Finance Member himself, the expenditure on the head “revenue” has increased from 164·5 in the year 1921-22 to 170·1 in 1927, and on the General Administration it has increased from 122·6 to 126·12. Well, Sir, if it is not extravagance by what other name would you call it ? It is because this House goes on sanctioning tax after tax and expenditure after expenditure that the Government manages to spend it. That, Sir, is the general impression created on every one who looks into the figures presented in this budget. If the Honourable the Finance Member tries to cut down the allowances that are being given to the various officers and also tries to make cuts in other ways, in proportion to the fall in the index number, I am sure a portion of the deficit will be met from the savings.

There is another reason why I oppose the first reading of this bill. As the Honourable the Finance Member has stated we expect a readjustment as regards our share of the Income-tax Revenue under the Meston settlement and the income-tax revenue in the Bombay presidency, which is an industrial province, is sure to be a source of an expanding revenue and the deficit in the budget will go on decreasing every year. In spite of the fact that the House has been co-operating with the Government for the last two or three years and has agreed to the levy of taxes from time to time what is the Government doing ? Even in the matter of minor complaints such as the issue of the Blue and the White books a little earlier, the Government is not prepared to meet the request of members and states that it is impossible for it to do so. May I enquire whether it is not possible for the Government to supply proof copies of these books as they are issued from the press ? Is it necessary for

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Government, if they want really to satisfy the wishes of the members of the Council, to wait till the whole book is ready? (Sir Chunilal Mehta nodded dissent.) I find the honourable member disagrees with me in the view I have expressed. However I assert that I have seen that practice followed in certain departments. I believe such proof copies are issued to members in order that they may have a general idea before the final copies are ready. At any rate if Government want to help the members in the proper understanding of the budget they can do so.

The other argument that the Honourable the Finance Member brought forward was with reference to bargaining with the Government of India. Various members have already spoken about that, and explained the hollowness of that argument. Once the Government of India knows that the amount of stamp duty realised has been more, simply because the House agreed to this increase in the stamp duty, it is impossible for any honourable member to believe that the Government of India will agree to give the Bombay Government an equal amount in income-tax. Under these circumstances, Sir, is it advisable for the House, or is it wise on the part of the House, to agree to this motion?

The argument that the rates in this presidency are lower than those in other provinces may be true; but, Sir, if it is really so the revenue we can get by raising the rates will be available to us for nation-building departments. What is happening at present is that the major portion of the revenue that is raised is being spent on other departments. The Honourable the Finance Member himself admits in his speech that this province is an industrial province, but if we look to the provision that is made for expenditure under the head "industries," it is only about a lakh of rupees. If you really want the industries to prosper, is it not necessary to provide money for education as regards industries and for the betterment of industries?

That, however, does not seem to appeal to the Government. The Government continues to spend as usual and the consequence is that we are presented with deficit budgets year after year, and subsequently bills are brought forward in order to raise money by taxing the poor people. You will thus see, Sir, that the arguments on which the Honourable the Finance Member has appealed to the House to agree to the first reading of the bill are such as would not appeal to any honourable member. I therefore oppose the first reading.

Mr. F. J. GINWALLA (Bombay City, North): Sir, I strongly oppose this iniquitous measure. One reason urged by the Honourable the Finance Member was that the duties proposed in the bill were the same as those prevailing in other presidencies; and the other was, that the Government of Bombay were negotiating with the Government of India for an exchange of the revenue from the Stamp Act for a similar amount out of the income-tax, and therefore if like good boys we did not grant this bill, the result would be that this presidency would have to suffer a loss of 20 lakhs of rupees per annum. The honourable member Rao Bahadur Kale has given a very effective answer to that, namely that

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the Government of India are not so childish or foolish as not to understand what the proper revenue is that can be raised from this province. Therefore there is no force in that argument ; it is simply a bait to catch the members of this House, and I hope they will not swallow that bait offered by the Honourable the Finance Member. I for myself am not prepared to swallow it.

Now, we are asking Government to reduce and retrench. I asked Government to postpone the consideration of this bill and allow us time to see how far we are able to balance the budget. That offer has not been accepted by the Honourable the Finance Member, and therefore it is now my duty to ask the honourable members on this side to tell Government plainly that we are not prepared to pass further taxation. That ought to be our reply to the Honourable the Finance Member.

Then, where is the necessity of bringing in this bill ? Let the members of this House see what the deficit is after the cuts are made, and then only the question of further taxation will come.

Another point is, that if this House is going to give the new revenue to Government, the result will be that Government will have no inducement whatsoever to minimise expenditure and retrench. Nothing will be lost even if we refuse these 20 lakhs. As they have already brought the balance down to 108 lakhs, let them bring it down to 88 lakhs. Let us ask the Government to retrench and then come in with proposals for fresh taxation.

As far as this taxation is concerned, in Bombay the duty on transfer of property is inflicting great hardship, especially on those who are landlords and who have no money. The duty has been raised from 1 per cent. to $1\frac{1}{2}$ per cent. and now it is increased to $3\frac{1}{2}$ per cent. And here is an Indian member who wants to make it permanent for all time. I expected him to see that this burden was not imposed, but I find he is a bureaucrat and is chip of the same block as the other European members.

Mr. G. WILES : Sir, I rise to a point of order. I think the honourable member is referring to the Transfer of Property Act in Bombay, which is not before the House. He speaks of the duty being raised to $3\frac{1}{2}$ per cent. This bill is to raise the duty on conveyances from 1 to $1\frac{1}{2}$ per cent. The Transfer of Property Act was permanently placed on the Statute book last year, and it is not before the House now.

Mr. F. J. GINWALLA : On that point of order, I would refer the honourable member to page 52 of the Indian Stamp Act. It is stated there :

" 23 (b) Conveyance (as defined by section 2 (10)), not being a transfer charged or exempted under No. 62—

Where the amount or value of the consideration for such conveyance as set forth	
does not exceed Rs. 50	Eight annas.
where it exceeds Rs. 50, but does not exceed Rs. 100—	Rs. 1.
where it exceeds Rs. 100, but does not exceed Rs. 200—	Rs. 2.
where it exceeds Rs. 200, but does not exceed Rs. 300—	(a) Rs. 4-8.

and the footnote says :

" (a—*a*) These entries were substituted for the original entries by Bombay II of 1922, section 4 (b) and schedule."

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Anyhow, I leave that point, and I will confine myself to the incidence of this tax. In paragraph 280 of the Report of the Taxation Enquiry Committee it is stated :

" At the present time the percentage borne by the duties received from non-judicial stamps to the total tax revenue of the countries is 9·4 as against 4·2, the corresponding percentage in the United Kingdom."

Further in paragraph 281, it is stated :

" One important limit to their levy lies in the fact that beyond a certain stage their productiveness begins to diminish. An excessive enhancement of the rates may impede transfers of property and cause a diminution of business generally, or it may lead to an evasion of the duties or a neglect of the requisite formalities of stamping. * * * Excessive stamp duties thus not only retard business, but defeat their object by tempting persons who have to pay them to resort to evasion, both legal and illegal."

Then, as regards mortgage bonds, it is stated :

" It is desirable that the duty on documents of indebtedness, such as bonds and mortgage deeds, be reduced as circumstances permit."

Further on, in paragraph 313, the Taxation Enquiry Committee say that as soon as the power to impose the stamp duty was given to provincial Governments,

" Several provincial legislatures increased the duty on all, or almost all, the items of the schedule which had not been reserved for central legislation, and in most cases the increases took the shape of a percentage increase of the existing rates without any detailed consideration of the burden they imposed upon particular classes of transactions."

Therefore, my point is this, that we should oppose this measure to be permanently on the Statute Book unless and until we find Government has effected retrenchment as suggested by this House.

The Honourable Dewan Bahadur HARILAL D. DESAI : Sir, I rise to request the honourable members of this House to support the first reading of this bill. And my reasons for this are these. The budget, as we all know, is a deficit budget, and in order to balance it this measure is necessary to be continued for some time at least. The question raised is whether it should be brought on the Statute Book as a perpetual or as a temporary measure is one which should be considered at a later stage. But for the first reading of this bill, we have only to consider whether, in order to balance our budget, it should be supported or not.

Now, in the first place I beg to thank the several honourable members of this House who, within the course of the general debate on the budget, pleaded for generous and equitable treatment to the departments under my charge, and requested the Honourable the Finance Member to allocate funds as much as possible. I may state here that when I took charge on the 3rd of January, I found that the budget had been prepared. The demand for the Education Department amounted to 2 crores and 18 lakhs, but on account of the stringency of the finances, about 24 lakhs cut was made, so that it was brought down to 1 crore 93 lakhs and 44 thousand. Over and above this, the building grants of local bodies had been reduced to a small figure of 20 thousand, and a cut of 25 per cent. was proposed from grants intended to be given to aided secondary schools. I pleaded the cause of the Education Department to the Honourable the Finance Member and he was able

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in anticipation of this measure going through, to grant five lakhs to me, wherefrom I have been able to restore the cut from the grants to secondary schools and have also been able to provide about 50 thousand for University Reform Scheme, and to add to the scheme for the introduction of compulsory primary education. Now, Sir, I submit to the House that if this measure is not allowed to go through at the first reading is not supported—then the result will be that the departments, at any rate, under my charge will also have to suffer a corresponding cut. The grants given up to now stand at the lowest ebb. The desire of the honourable members is that I should expedite the expansion of the activities of my department. Their appetite is as great as mine in order to expedite the very urgent schemes that are on hand. The honourable members have pleaded for expediting the scheme for compulsory primary education and they have also pleaded for larger grants to secondary aided schools.

I may here tell the House that the Government appointed a committee in 1925 for the purpose of considering the question of the transfer of the subordinate medical and veterinary staff to, and the creation of a district health staff for, the district local boards, and the general demand was that the district local boards should be helped to the extent of $\frac{2}{3}$ rd of their expenditure. Now, for all these purposes Government should have funds. And how to get the funds is the question.

It has been argued that Government do not show a desire to effect retrenchment. But I say that it is not the case at all. Last February this point was raised, when the honourable House granted an extension of this measure for one year. But thereafter the Government appointed a special officer for the purpose of proposing retrenchments. He has been doing that work and proposals from him are coming up and they are being considered one by one. I may assure this House that Government are earnest on the question of retrenchment as much as possible and so far as it is possible to do. I may further say that the honourable members can take an assurance from me that, from the experience which I have during the last about 45 days, I can say that the desire to retrench on the part of Government is so great that several urgent schemes have been cut out and every proposal is being carefully looked into. But we are all part of a system and being part of a system one cannot expect immediate results in a day or two. I, therefore, submit that a measure like this requires, on account of financial conditions of this presidency, extension of time. What the extension of time should be is a matter which can be considered later on. So, I ask this House to support the first reading of this bill.

Mr. B. G. PAHALAJANI (Western Sind): Sir, I have listened to the two speeches both delivered by the Indian Members of Government, one, of the Honourable the Finance Member who is an Indian, and the other, of the Minister for Education. He is also an Indian. One of them was my colleague in the first Council, who was responsible for a cut of 60 lakhs in that year. Principles of budget framing laid down in 1922 have been neglected at present. When a similar situation arose

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at that time, the Honourable Sir Chimanlal Setalwad stated that the principle which Government should adopt. is that there should be a safe balance of 15 per cent. of the expenditure in the Treasury. So, according to that principle, the safe balance that ought to remain when the expenditure is 15,58 crores, is 2,22 crores.

The Honourable the Finance Member and the Finance Secretary admit that according to their calculations, probable balance next year will be 2,31, excluding the minimum safety balance.

Now, Sir, the second principle that ought to influence this Council in granting or not granting this is what was very pertinently remarked by the honourable member Mr. Purshotamdas Thakurdas in the same year (1922), page 258 of Volume V of the Official Debates. He said :

“ The Honourable the Revenue Member asked us to accept the responsibility for the budget. The Council will refuse to accept the responsibility to be a party to the taxation, until it is satisfied that strict retrenchment has been practised. If this is done, the Council will not only vote for one crore of rupees, but even three crores of rupees, if they are necessary. The Leader of the House yesterday stated regarding retrenchment that there are files upon files, and volumes upon volumes containing all the facts and figures. I submit, Sir, it is not correct nor fair to the House to say this. If you want this House to be a party to any increase or any measure of taxation or otherwise, I think it is the duty of the Leader of the House first to give us a summary of such literature to enable us to come to the right decision before asking us to consider fresh taxation. ”

I would also remind the honourable members that in 1922 when a similar situation, nay a worse situation arose, when there were only Rs. 87 lakhs in the budget in that year, not Rs. 2,31 lakhs, the whole non-official side rose to demand that the Government shall place before the Council all its cards and their whole literature of the steps that they were going to take or they had taken for the retrenchment of expenditure. They were not satisfied then, and this House shall not be satisfied, I hope—members of it are responsible to the poor rural electorate—unless Government are prepared to tell them how the retrenchment is effected or is going to be effected. In that year Sir Henry Lawrence—Mr. Lawrence then—assured the Council that all the steps that were necessary to effect retrenchment had been taken or would be taken. The same statement has been repeated by the Indian Finance Member to-day. The same statement has been repeated by the Finance Secretary to-day that every attempt possible has been made to effect reduction in every department. But, Sir, how the retrenchment has been made, what retrenchment has to be made, in what directions the retrenchment is hereafter to be made, all these matters are not made clear to the Council, and the Council is not taken into confidence as regards that matter. We are told a retrenchment officer, a Government retrenchment officer, has been appointed. I have very great respect for the retrenchment officer, who is a personal friend of mine. But as regards his powers, we are told by the Finance Secretary that he has nothing to do with the dictation of any policy in the matter of retrenchment. If, therefore, the only power given to him is of effecting cuts in the inferior establishment, if he is only to follow out the procedure laid down for his work by Government and suggest cuts in regard to a few peons and a

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few clerks, I think we might have saved all the expenditure that has been incurred upon an officer of Mr. Shrivillidy's standing. I may also remind this House that even when the Retrenchment Committee was going through its labours, towards the end of the career of that committee, a thunderbolt came from the Government that they had nothing to do with the non-votable items, and therefore, in spite of our enquiries in that direction we were told that we had nothing to do so far as the non-votable items were concerned. So, the House will see whether there be a retrenchment officer or not, whether there be members of a retrenchment committee or not, this House, the non-official side, has not the power of clearly dictating in what directions retrenchment has to be made. And, therefore, the only way in which we can dictate to the Government not to tax us but to reduce the expenditure is not to allow taxation. Now, Sir, if the fact that taxation was not allowed in 1922 in the case of only a small entertainments bill producing only Rs. 16 lakhs brought the Government to its knees and forced the Government, through the intervention of the then Finance Member, to effect a cut of Rs. 60 lakhs, is it not time now for this House to compel the Government, by refusing taxation, to reduce the expenditure? The cut or the reduction will not be Rs. 20 lakhs. Turning to page 47 of the Blue Book you will find the following :—

"The current year's revised estimate under non-judicial 'stamps' shows a decrease of 12,05, as compared with the budget estimate of 1,11,05. The latter estimate took into calculation an anticipated increase of 11,00 on account of the operation of the Indian Stamp (Bombay Amendment) Act, 1926 (Transfer of Property Tax), as also a normal increase in stamp revenue in anticipation of improved trade conditions. Neither of these expectations has been realised."

Now, so far as the use of these amounts is concerned and so far as the bait that has been held out by the Honourable the Finance Member to-day is concerned, I will only place before him the actual income ever since 1920 up to the present day. On the 31st March 1920—these are the figures of the Finance Secretary—non-judicial stamps—before the new Act came into force—produced 91,82 lakhs. Then in 1921, on the 31st March 1921, still before the reforms, the income from non-judicial stamps was 1,01 lakhs. In 1922, still before the Stamp Act had not come into force, it went down to 84,38. Then, Sir, in 1923 the income was 91,85; in 1924 it was 91,20; in 1925 it was 97,85; and in 1926 it was 96,90. So that the figure has not seriously exceeded the pre-reform figure so that if the Honourable the Finance Member has to present to the Government of India his bill for any negotiations that are going on, all the years afford an equally good index to him. The best year was pre-reform, year 1920-21 when the income was 1,01 lakhs, and after that, the last item—97·89—so that the amount that he has got before the reforms is more than sufficient, is certainly a suitable figure, for properly carrying on negotiations. The Honourable Minister for Education rose to say that for education money will be given. I regret that he should have risen to address the Council to-day on this matter, because he must remember that when Rs. 25 lakhs was the income of this Government from the entertainments tax, and when Government stands pledged, if not to spend, then to ear-mark....

Mr. G. WILES : Will the honourable member tell us where he is quoting all these figures from ?

Mr. B. G. PAHALAJANI : I am referring to page 2 of the Blue Book.

Then, when the Entertainments Tax was sanctioned by this Council, Government gave a promise that the whole proceeds of that Act would be transferred to Education, though it was stated that it could not be ear-marked because it was against Government policy to ear-mark any income. What is the encouragement given to education ? Is the Honourable the Education Minister in a position to state that ever since the institution of this entertainments tax or these schedule taxes, there has been any appreciable increase apart from the natural increase, apart from the proportional increase, in the grant for education on account of these schedule taxes or the entertainments tax ? He has made out no case for that and I will respectfully ask him to consider his position again. He should not be a party to this kind of taxation. The whole House will support him so far as education is concerned, but no means of reducing expenditure has been adopted by Government and until that is done I do not think this House will in any way encourage this kind of taxation.

I will only quote one little instance to show how the money is being spent. I refer to an item which goes by the name of Travelling Allowance. The amount now spent on this item is over Rs. 54,00,000. or over half a crore of rupees. It is paid to the following departments, namely, the Public Works, the Police, the Education, in the shape of mileage, no permanent travelling allowance being fixed for them. What is more, Government allows Rs. 210 and Rs. 150 for upkeep of a motor car, and yet the mileage has not been increased for enabling them to earn it. Every officer who goes out beyond 20 miles by motor is entitled to draw his mileage. The amount spent on travelling allowance was reduced by eleven lakhs in 1922 simply by the reduction of rate from double to 1½th. That "t. a." has not been examined. There are so many other expenditures of a more or less similar character which can be easily curtailed if only the Honourable the Finance Member will put his shoulder to the wheel and apply himself seriously to the question of cutting down expenditure of all kinds. Until that is done, this House will be compelled to call upon the Government to reduce their expenditure by refusing this taxation. Refusing of this taxation will compel them to reduce, refusing of this taxation will compel them to effect economy all round, refusing of this taxation will make the labours of their own Retrenchment Officer useful to them and until this House is convinced that all possible effort is really being made by Government to cut down their expenditure, we should not and shall not give our sanction to the increase in taxation. Therefore, Sir, I put it to the members of this House whether they are going to sanction the bill placed before them.

I will take this opportunity, Sir, of saying something about the Finance Committee. The Finance Committee is appointed to be an advisory body. In 1922 the Finance Committee was not taken into confidence; in 1927 the Finance Committee is not taken into confidence ; it is only a figurehead committee which has only been told what the expenditure is going to be ; it has no power to suggest how reduction should be made.

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I therefore ask my honourable friends here not to put the extra burden of further taxation on the ryots whom they represent in this Council, and to reject the bill.....

Mr. A. D. SHETH : I move for a closure, Sir.

The Honourable the PRESIDENT : Regarding closure, I think it is an important subject and many honourable members wish still to speak. I would therefore like the discussion to go on for some time yet.

Mr. G. WILES : Sir, I think it is a little unkind for honourable members, who found themselves unable to speak during the general discussion on the budget, to take advantage of this bill to introduce all sorts of arguments which I must consider to be rather extraneous to the immediate point at issue. But my honourable friend from Sukkur has introduced one or two points which I will endeavour to answer while they are still fresh in my memory. On the question of the Entertainments Tax he has entirely misunderstood the situation and thereby misled the House. The Entertainments Tax, regarding which the undertaking was given by the Honourable the Finance Member when the Entertainments Bill was introduced, amounts to 7½ lakhs, not 22·51 lakhs as quoted by the honourable member. That includes proceeds from an entirely different tax, which is a tax on the totalisator. My honourable friend Mr. Jadhav, when tackled on this question last year, placed before the House a statement which refuted, word by word, figure by figure, the statement which the honourable member Mr. Pahalajani has just given us. The honourable member Mr. Pahalajani made the same statement last year and it was refuted by the statement which the honourable member Mr. Jadhav then put before the House. That statement showed that the additional expenditure on primary education after the department had been credited with the natural expansion which has been given to all other departments, was greater than the receipts from the Entertainments Tax. That is to say, primary education is being given a sum which is greater than the receipts from the Entertainments Tax, in addition to the ordinary expansion. The House will see therefore that Government have fulfilled their promise both in the spirit and in the letter.

My honourable friend from Surat, who was unable to speak during the general debate on the budget, has raised a number of points which have been answered in the course of the debate ; but unfortunately he was not present to hear the answers. But there is one statement which I must repudiate, because I think it may have misled many members. He referred to the rise in the percentage rate which is charged to Public Works from 24 to 27 on account of establishment and tools and plant. This rise in percentage has nothing whatever to do with increase of establishments in the Public Works. The actual establishments under the Public Works Department have decreased by no less than ten lakhs below last year's demand, but owing to the works in progress and new works having come down very considerably in amount, the cost of establishment which is to be distributed over these has increased in percentage. I will give the honourable members some figures of works

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which were in progress two years ago and which are in progress now. Two years ago we had 45½ lakhs and we provided 21 lakhs for new works. Last year works in progress were 40 lakhs and we provided one lakh for new works. Next year the works in progress are only 34 lakhs and we have made no provision for new works. Obviously, the distribution of the total charges on account of establishment of the Public Works Department must increase the percentage.

An Honourable MEMBER : So much for temporary staff ? The temporary staff of course is reduced with the works.

Mr. G. WILES : I am not now including in this statement the works under Sukkur Barrage. The cost of the Sukkur Barrage is now reaching its zenith, and the establishments must be high ; they are not included in this statement.

I notice that the honourable member from Sholapur returns to the charge about the failure of Government to supply copies of the budget earlier. I am sorry that some honourable members are still under a misapprehension about this. We did not deliberately keep back any information from the honourable members. I actually received my own copy of the Blue Book on the same morning as it was despatched to all other honourable members. The copies came hot from the press and were immediately despatched ; I cannot do any more than that.

To come more particularly to the bill, the sum that we estimate we shall lose if this bill is thrown out is, as the Honourable the Finance Member has told us, Rs. 20 lakhs. It is a rough estimate. We did not attempt to be accurate, because the stamp revenue goes up and down with the fluctuations of trade in a most remarkable manner ; but calculating item by item, taking 50 per cent. and 100 per cent. more as the case may be on certain items, and making some allowance on account of "diminishing returns," which my honourable friend opposite has referred to, we still calculate that the bill will profit us to the extent of Rs. 20 lakhs.

I confess I am unable to understand the attitude of those honourable members who would deliberately attempt to increase our deficit by this amount. This action can only result in the curtailment of activities of Government. It will be impossible, I assure my honourable friends, to distribute this cut only in the reserved departments : it must fall on all departments alike, if we are compelled to make the cut.

My honourable friend opposite, Rao Bahadur Kale, has asked for an assurance from Government that we intend to spend this money on nation-building departments. We cannot of course do anything of the sort. We do not earmark any of our revenues ; under the rules, it cannot be done. But let honourable members study the figures for themselves. Let them look at statements A and B of the Blue Book and calculate the sums which are being spent on, or the increase which has been given to, the transferred departments and to other essential departments for the progress and welfare of the people, like the Irrigation Department. They will there find that these departments have not been starved, that they get their full share of the revenues.

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I think honourable members have lost sight of the fact that this is not new taxation that we are putting on. It is taxation which has been in force for a considerable number of years; the people have become accustomed to it. It is not a charge which is going to place this presidency in any respect at a disadvantage as compared with the traders of the other presidencies. However glad we may be to remove taxation which is felt to be unduly hampering trade, it seems to me to be quite obvious that this is not the opportunity to do so.

Other honourable members took an exception to this bill on the ground that it will fall more heavily on the poor than on the rich, but I confess I cannot follow that. At the time the bill was referred to the select committee in 1922, the same argument was raised, and the select committee, at that time, purposely excluded from the operation of the enhanced duties bonds, conveyances and leases up to a sum of Rs. 200.

We have been told that, as in the past our deficit budgets have been turned into balanced budgets or even surplus budgets, so, in some mysterious way, this deficit of Rs. 50 lakhs is sure to dissolve into thin air. On this point, I would again recommend all honourable members to study the report of the proceedings of the Public Accounts Committee. The question of over-budgetting was carefully considered by the Public Accounts Committee when they made their recommendations. I understand that the Public Accounts Committee themselves drew attention to the over-budgetting which they considered had taken place in the past, but they satisfied themselves that the action that Government was taking during the last two or three years was satisfactory, and would diminish this evil. It will be seen that up to the year 1925-26, considerable savings had been made, chiefly as a result of the excessive demands of the newly formed departments, but the excess is steadily diminishing. In 1925-26, there was a net difference of only Rs. 14 lakhs. I pointed out in one of my speeches last year how our newly devised system of making deductions on account of "probable savings," of lump sums under each head had definitely led to a reduction of the amount of savings due to over-budgetting, and in the current year, we do not anticipate that there will be any considerable savings in consequence of over-budgetting though there may be some savings in consequence of the orders which we have issued to reduce expenditure on account of the fall in revenue.

My honourable friend from Sukkur harks back, in his demand that we should retrench, to what happened in 1922 when, in response to a demand from the Council, Government consented to make a reduction of Rs. 60 lakhs. His assumption that what was done by Government then they could do again, seems to me extremely illogical. Can the honourable member really believe that, because three years ago the whole administration of Government was thoroughly examined and retrenchment carried out, therefore we can go on doing the same thing year by year? Permanent reductions in expenditure have been carried out as a result of the Retrenchment Committee's recommendations; the results are in the hands of honourable members. I am speaking from memory, but I

[Mr. G. Wiles]

believe that the actual permanent savings which have been carried out by Government, as a result of the Retrenchment Committee's recommendations, amount to Rs. 35 lakhs, possibly a little more. As a result of the further scrutiny which has been made during the current year, with the aid of the special officer, a further sum of not less than Rs. 16½ lakhs has already been deducted from the demands to be made next year. We hope this sum may eventually be considerably increased, but the recommendations have not yet been all dealt with, and many of them cannot of course, where they result in a decrease in establishments, immediately be effective.

Mr. N. A. BECHAR : Is it Rs. 16½ lakhs reduction in the service this year ?

Mr. G. WILES : That is the reduction in the demand under all departments for next year.

The Honourable the PRESIDENT : Order, order. I am ready to accept closure at 6-20 at the latest if there is any honourable member ready to propose it. Before that I would like to know whether honourable members wish to carry on the discussion over to-day, which, I however think, would really be waste of the useful time of the House. If not until the closure, if moved, a few more speakers might intervene ; and I hope they would oblige the House by limiting their remarks only to the issue before the House.

Mr. K. S. FIRODEA (Ahmednagar District) : Sir, I rise to oppose the first reading of the Stamp Bill. In accordance with the opinion of the chair I will not go beyond the pertinent issues raised in the bill. Of the arguments that have been advanced by the Honourable the Finance Member the first is that because the Government of India has consented to take up the stamp revenue and in return to give us a part of the income-tax revenue, he says that as much as we increase our stamp revenue so much we will benefit in the income-tax revenue. I understand from the speech of the Honourable the Finance Member that all these negotiations are in a nebulous condition. It is stated that the Government of India have declared that they will take up the stamp revenue and give us in return in the form of a share in the income-tax.

The Honourable Sir CHUNILAL MEHTA : May I make a correction, Sir ? It is not only a declaration made by the Government of India but it has been accepted by all the provinces. This proposal to exchange stamps for a share in the income-tax revenue has already been accepted by all the provinces. (An Honourable Member : Including Bombay ?) Including Bombay.

Mr. K. S. FIRODEA : The explanation given by the Honourable the Finance Member is not satisfactory. It has been accepted by the provincial governments. What follows next ? Does it follow that the Government of India have consented to give us as much as we increase the stamp revenue ? If you increase the stamp revenue by 10 crores, would the Government of India consent to give you 10 crores ? It can only follow that the Government of India will give you a particular

[Mr. K. S. Firodea]

amount and you cannot expect them to exceed that limit in giving you a share of the income-tax. The Honourable the Finance Member has stated that the negotiations are still in a nebulous condition and that the correspondence has not been completed.

Then he says that if the House does not agree to increase the taxation, Government of India will refuse to give any increased share in the income-tax revenue. Is there any guarantee that the Government of India will give us as much as we get by increasing the stamp duty? Will the Honourable the Finance Member guarantee that we will get as much as we increase our stamp revenue? No, he cannot. Let us take an analogy. When the Government of India or any other Government acquire a land under the Land Acquisition Act, they look into the fact whether the price has been increased to any enormous extent by hollow transactions. If the prices are increased extraordinarily they refuse to give compensation. If the Honourable the Finance Member simply wants to increase the stamp revenue with a view to get a greater share of the income-tax revenue, the Government of India will consider and see through the tricks, and say that they will not give as much as we get by increasing the stamp revenue.

Then the Honourable the Finance Member stated that it does not fall on the poor people and that the amount contributed by the rural area is only 18 lakhs as compared with one crore of the total revenue from stamps. On account of the condition of living in Bombay this amount may appear small to him, but it is a very big amount in the rural areas. If you increase a tax from 8 as. to Re. 1 in the village parts it means four days' wages of a man. If you take away 8 as. from him he will think that Government have deprived him of the bread for four days on which he depends. How this increase falls upon the poor people? This increase falls upon the poor people when after the transactions are made and the documents are executed these poor people who are in need of money go to rich people who exact all the expenditure from them. It is how it falls on the poor people.

Then the Honourable the Finance Member stated that a major portion of this revenue comes from large cities. The documents are not executed in large cities. Take for instance Poona. Poona includes the Poona taluka also within its limits. So all the documents executed in the Poona taluka also must be included. If you take that into consideration it does not follow that only 18 lakhs are derived from the rural areas and therefore it falls on the poor people to a greater extent.

Every argument that has been advanced in this House for the last four days in this August assembly compels this House to come to the conclusion that unless Government comes with clean hands, this House should not pass the first reading of this bill.

The Honourable Mr. G. B. PRADHAN : Sir, I will offer a few remarks as regards the bill before the House. I want to refute some of the arguments advanced by my honourable friend from Nasik (Mr. R. G. Pradhan). He quoted some passages from the Taxation Enquiry Committee's

[Mr. G. B. Pradhan]

report. I wish to make a present to him of Dr. Paranjpye's opinion recorded in the same book. I submit, Sir, that the canons of taxation are laid down by economists and they are that the tax must be easy of collection, must be collected at the most opportune time, and must be collected with the least possible expense and must fall on broad shoulders. (Interruption). Of course I do know that some economists have taken exception to the stamp duty. There are those who think that stamp duty is a tax collected with the least expense. Take for instance the non-judicial stamps of Rs. 10 value. The same expense you incur for a stamp of Rs. 15 value. This is done at a time when the transaction has been entered into. I propose to point out to my honourable friend from Ahmednagar how it does not fall upon the weak shoulders. I find that in the Taxation Enquiry Committee's report three principles are laid down as regards stamp duty. If honourable members refer to page 222 of the Taxation Inquiry Committee Report they will find it laid down :

"(1) The point at which the value of the convenience or utility attaching to the use of the particular kind of document or to the resort to a particular kind of transaction approaches the amount of the stamp duty involved.

(2) The point of diminishing returns, or, in other words, what the traffic will bear.

(3) The point at which hardship on any class or the community is involved."

These are the three principles. My honourable friend from Nasik (Mr. R. G. Pradhan) merely quoted a generalisation as regards the rate of the stamp duty, but he omitted to notice other portions of the same report relating to the stamp duty recorded in the report of that committee. He is not in his seat. I wish to make him a present of Dr. Paranjpye's opinion. What does the learned Doctor say? On page 224 of the report it is stated :

"Dr. Paranjpye is not a party to the first of these recommendations. On the other hand, he regards transactions by way of adoption as not being taxed sufficiently. In his opinion an adoption among Hindus, though it has a religious bearing, is almost invariably an act creating new rights to property. Thus, in a Mitakshara family the adopted son gets an immediately exercisable right to half the ancestral property of adoptive father. The act is therefore of the nature of a conveyance and should be taxed at a rate similar to, but somewhat lower than, the latter. From the point of view of theory an adopted son comes by a windfall either actually or potentially and the transaction is therefore a fit subject for taxation."

That is what the learned Doctor says, and that is recorded here. If the honourable member will read paragraph 290 and subsequent paragraphs, he will find certain documents mentioned, with regard to which the Committee say that the stamp duty ought to be increased. The Committee have indicated certain instruments on which the duty might with advantage be raised. Those instruments are : settlements, releases, valuation of land under deeds of partition, instruments of partnership, articles of association of companies and such other documents. Now, I wish to point out from the schedule that the documents upon which the stamp duty is sought to be increased are mostly documents which are recommended for a further taxation by the Taxation Enquiry Committee.

[Mr. G. B. Pradhan]

Then, every honourable member will realise that any taxation is a sort of operation. If that operation is to be performed, do it once for all, do not go on opening the wound every now and then. That will give more trouble. Here is a tax which has been in existence for five years; people have got accustomed to pay it. But I do not want the House to continue that tax in perpetuity; if they want that that tax should be there only for two or three years, any honourable member is welcome to move an amendment to that effect, and the Honourable the Leader of the House, I am sure, will accept it.

I will also draw the attention of honourable members of this House, particularly of those who think that the proposal before the Government of India is in a nebulous condition, to page 373 of the Taxation Enquiry Committee. They will find there that originally non-judicial stamps were intended to be made an Imperial source of revenue. The Taxation Enquiry Committee have gone into that question and they have summed up their conclusions in paragraph 527 at page 378. They think that the revenue from non-judicial stamps should be handed over to the Imperial Government and a corresponding return should be made by that Government to Provincial Governments. There will not then be different stamp duties in different provinces, as there are now. So they are going to fix a datum line. To the honourable members of this House who think that the whole thing is in a nebulous condition my submission is that by bringing down the datum line, they will involve the future generations in a loss of 20 lakhs of rupees per annum. (Honourable Members: Question.) My honourable friends before they say "Question" will refer to pages 385 and 386 of the Report of the Taxation Enquiry Committee. The suggestion there is that if the non-judicial stamp revenue is given over to the Imperial Government, then the Imperial Government should give a proportion of the Income-tax to the Provincial Governments as a compensation.

I may also bring to the notice of honourable members the Report of Sir Joseph Kay's Committee. I have got the report in my hand, and I have gone through some portions of it. The members of that committee suggest that the loss of revenue by the policy of prohibition may be balanced by other taxes, and they suggest certain taxes. Honourable members cannot both have the cake and eat it too. If they want to reduce the revenue from Excise, other taxes must be imposed. Now, when Government wish to increase the revenue by 20 lakhs, there is opposition. Of course honourable members have a right to say that Government is extravagant. My honourable friend the Finance Secretary has already stated to the House that retrenchments have been carried out and that retrenchments are being suggested and are being made. Now, the complaint is that this revenue is not being earmarked, but it is to go to the general revenues and to cover part of the deficit. But may I suggest that if the country is to reach the goal of prohibition which the Council has marked out, the Excise revenue will continue to fall, and some other revenue should take its place? By not sanctioning the bill the datum line will be brought down, and if in fixing the datum

[Mr. G. B. Pradhan]

line the Government of India find that the stamp revenue is not 1 crore, but 80 lakhs, then in perpetuity, for generations to come, this presidency will lose 20 lakhs of rupees per annum.

Mr. J. R. PATEL : On a point of information, Sir. Does the proposal amount to anything more than this, that if we raise and give 20 lakhs more of stamp revenue, then and then alone we shall receive the same amount in return by way of income-tax and not otherwise ?

The Honourable Mr. G. B. PRADHAN : I am afraid I have not made myself quite clear. What I want to convey is, the datum line will be fixed on a certain basis : they may calculate the stamp revenue received from the year 1922-23 up to 1927-28, and strike an average. If the average is brought down by our reducing the stamp duty, then in that case the datum line will go down and we will get a reduced return in perpetuity.

I hold in my hand a comparative statement as regards the revenues from non-judicial stamps levied in the different provinces of this large country. My honourable friend from Ahmednagar could not understand how it is that the poor people are exempted from the additional burden. If we will have a look at the schedule, he will find that bonds and conveyances of the value of Rs. 200 and less are exempt from the duty. A labourer getting two annas a day will not have to pass bonds and conveyances of more than Rs. 200 ; I do not suppose he has got any large property to part with. As regards articles of association of companies, when a company is formed, I suppose they are not insolvent ; will they not be in a position to pay ? As regards partition deeds, a poor man is not involved at all. When there is no property, what is there for making an award ? Then, as regards powers of attorney, is there any necessity for a poor man to appoint an agent ? Any honourable member is welcome to see this comparative statement which is with the Finance Secretary. From that honourable members will find that in all other provinces the same duties are levied as in the Bombay Presidency, and in certain cases in the Bombay Presidency the scale is less ; there are of course one or two exceptions.

My submission to the honourable House is, the Council want certain policy to be undertaken and they want certain departments to spend more money. That being the case we want more money, and unless new sources of revenue are pointed out and more revenue is given, what is the Finance Member to do with a deficit budget of 50 lakhs.

An Honourable MEMBER : What did you say last year ?

The Honourable Mr. G. B. PRADHAN : If honourable members will study the debate, they will see that all that I suggested last time was that the bill should be published for eliciting public opinion, and nothing beyond that.

Mr. G. I. PATEL : On a point of information, Sir. Will the honourable member please let us know on which side he voted on the first reading of the bill last year ?

The Honourable Mr. G. B. PRADHAN: I suppose my honourable friend from Ahmedabad can get that information by referring to the debates of the Legislative Council. My submission to the honourable House is that they are at liberty to put down any time limit. Instead of throwing it out, let them fix a time limit if they do not want it to remain in the statute book in perpetuity. I am sure, therefore, that the House will accept the amendment instead of throwing the bill "in toto." Please consider all the points which I have brought to your notice and then cast your vote.

MOULVI RAFTUDDIN AHMAD: Sir, I move for a closure.

The Honourable the PRESIDENT: I accept the closure.

The Honourable Sir CHUNILAL MEHTA: Sir, I expected a good deal of discussion, when I moved the first reading of the bill. But I thought, Sir, that some of the points, which I mentioned to the honourable House with regard to the negotiations that are at present going on between the Government of India and the various Provincial Governments, would carry conviction to this House. I understand, Sir, that there is some amount of difficulty in appreciating whether these negotiations are really *pucca* negotiations or they are not. But I would like to inform honourable members of the resolutions that were passed by the Financial Conference that met only in November last. There were several propositions, but three of them were these. They were agreed to pending examination of the whole subject by the Statutory Commission.

(1) It is desirable in principle that certain of the stamp duties (broadly those suggested by the Finance Department of the Government of India and accepted with slight modifications by the sub-committee) should become central sources of revenue, provided that the provinces are adequately compensated for the loss of actual revenue and of potential increases of revenue.

(2) It is desirable that a new formula should be found to replace Devolution Rule 15 of such a character as to give each province an interest in receipts from taxes on income which will reflect the growing prosperity of the province as measured by assessment, provided that the amount payable to each province should not be less than it would get under Devolution Rule 15. It was understood that the question of the assessment which should be adopted as the basis of the formula would remain open.

(5) It is desirable to arrive at a settlement of questions 1 and 2 in such a way as to secure that as soon as the provincial contributions are extinguished, the new formula regarding income-tax may come into force giving to each province an assignment in respect of income-tax varying with the income tax assessments of each year (the question on what assessments the formula should be based being left open) which will not be less than is sufficient to compensate it for any loss of stamp revenue and for the assignment which it would receive or expect hereafter to receive under Devolution Rule 15 as it stands, such assignment also if possible to absorb existing temporary assignments, if any. (Bombay agreed subject to the condition that in fixing the assignments, the fact that Bombay had suffered in a marked degree on account of the defective operation of Devolution Rule 15 should be taken into consideration. They maintained a right to payment of arrears under the rule, as it ought to have operated if the law had been equitable.)

Though, Sir, the resolution has been accepted by the Financial Conference, the matter was discussed at a Sub-Committee meeting of the members of that Conference.....

An honourable MEMBER: Are these resolutions binding on Government?

The Honourable Sir CHUNILAL MEHTA: Yes, they are binding on Government, as they have been accepted both by the Government

[Sir Chunilal Mehta]

of India and provincial governments. Therefore, Sir, you will see that we are bound to get in the shape of income-tax an equivalent amount of what we surrender in the shape of Stamp revenue. As I explained to you this morning, the rates of other provinces, especially the major provinces Punjab, Madras and Bengal, are much higher than the rates which would apply to Bombay if this bill is rejected. Those provinces would stand to gain in proportion of the revenue they surrender.....

Mr. HUSSAINBHAI ABDULLABHOY LALLJI : But this measure will be a permanent one.

The Honourable Sir CHUNILAL MEHTA : No. I am not proposing it for a permanent period. Sir, I understand that there is a certain amount of misapprehension in the minds of the honourable members as to what attitude Government propose to take on this measure with regard to the period of time during which it should be under extension. I only ask that the first reading be given to Government. That is to say, this Council should extend this measure until Government would complete their negotiations with the Government of India on the principle that we shall, in return for surrender of stamp revenue, get an equivalent amount of the income-tax revenue which we have always claimed. I think these negotiations might be brought to conclusion within the next year or two. I personally should prefer that they might go on for a couple of years in order to give us a better revenue from stamps. But if the honourable members are of opinion that they need not commit themselves to this extension, and if they feel that they should give this bill a life for only a limited period so that they can watch how our negotiations go on with the Government of India, I shall be content to accept as short a period as they like. I feel that it would be better if the stamp revenue, as it would stand two years hence, when it is hoped trade will have revived, is taken for the purpose of negotiations with the Government of India. But I am not certain, and if the honourable members feel that such a long time need not be allowed and that they should have the liberty of examining the question again after the course of one year, I shall be prepared to accept such a suggestion. I only wish you to back up Government in the position they have taken with the Government of India. As I read out to you, the report of the Sub-Committee has been accepted by all the Financial Members present at Delhi, and you will find that the negotiations have reached the state of the proposals of the Taxation Enquiry Committee, which the Government of India wish to accept, being brought to fruition.

I therefore trust that the House instead of dividing on this matter will allow us only the first reading at present.

Mr. F. J. GINWALLA : What was the authority of the Bombay Government to negotiate ? Who authorised the negotiations ?

The Honourable Sir CHUNILAL MEHTA : The authority for negotiations is only this that the Taxation Enquiry Committee.....

Mr. F. J. GINWALLA : We do not want the Taxation Committee brought in.

The Honourable Sir CHUNILAL MEHTA : I am sorry the honourable member interrupts. I explained it this morning and I will explain it again. The honourable member read out very long extracts from the report for his own purposes, I think, and I am only wanting to point out that as there is a definite recommendation from the Taxation Enquiry Committee that the stamp revenue should be central revenue, the Government of India took up this matter with the various provincial Governments, and we have negotiated with them in the interests of this province. I believe the Council will be advancing the interests of this province if they allow us the basis of negotiations that I have asked for. I hope that there will be no need to go to a division on this question.

Question put, that the bill be read a first time. House divided ; Ayes, 52 ; Noes, 48. Motion carried.

Division No. 1.

Ayes

ABDUL LATIF HAJI HAJRAT KHAN, Khan Sahab
AHMAD, MOULVI RAHIM UDIN
ALLAUBAKSH WALAD KHAN Sahab HAJI
MAHOMED UMAR, Mr.
ANDERSON, Mr. F. G. H.
BALAK RAM, Mr.
BHURGRI, Mr. J. W.
BHUTTO, Khan Bahadur S. N.
BIJARANI, Khan Bahadur SHEER MUHAMMAD KHAN
BRADAR, SARDAR MAHABOOBAI KHAN
BOLE, Mr. S. K.
BROWNE, Mr. D. R. H.
CHATFIELD, Mr. G. E.
DABHOLKAR, Sir VASANTRAO
DAGUMIYA, Mr. G. A.
DESAI, the Honourable Dewan Bahadur HARILAL D.
DUGUID, Mr. A.
GHOSAL, Mr. J.
GHULAM HAIDAR SHAH, Mr.
GHULAM NABI SHAH, Khan Sahab
HARRISON, Mr. C. S. C.
HATCH, Mr. G. W.
HOTSON, the Honourable Mr. J. E. B.
JAN MAHOMED KHAN, Khan Bahadur
JANVEKAR, Mr. D. A.
JEHANGIR, the Honourable Mr. COWASJI

JITEKAR, Mr. HAJI IBRAHIM HAJI MAHOMED
JONES, Mr. W. E.
JOSHI, Mr. S. C.
KAY, Sir JOSEPH
KHURRO, Mr. M. S.
MANSLURI, Khan Sahab A. M.
MARTIN, Mr. J. R.
MEHTA, the Honourable Sir CHUNILAL
MONIYATH, Mr. J.
NOOR MAHOMED, Mr.
OLIVEIRA, Mr. F.
OWEN, Mr. A. C.
PAINTLER, Mr. H. L.
PERRY, Mr. E. W.
PETH, Mr. F. W.
PRADHAN, the Honourable Mr. G. B.
RIEU, the Honourable Mr. J. L.
SAYED MUHAMMAD KAMH SHAH
SAYED MUNAWAR, Mr.
SHAIKH ABDUL AZIZ ABDUL LATIF, Mr.
SMYTH, Mr. J. W.
SOLANKI, Dr. PURUSHOTTAMRAI G.
TAUNTON, Mr. I. H.
THORNBLE, Mr. J. P.
TURNER, Mr. C. W. A.
WILIS, Mr. G.
WINTERBOTHAM, Mr. G. L.

Tellers for the Ayes : Mr BALAK RAM and Mr. A. C. OWEN.

Noes

AMIN, Mr. H. J.
ANGADI, Rao Bahadur S. N.
ASAYLE, Mr. R. S.
ATAVANE, Mr. A. M.
BHOHAR, Mr. N. A.
BHOOLD, Mr. M. G.
CHANDRACHUD, Mr. N. B.
CHIKODI, Mr. P. R.
DESAI, Mr. B. T.
DESAI, Mr. J. B.
DESAI, Rao Sahab D. P.
DESHFANDE, Mr. L. M.
DIXIT, Dr. M. K.
FIRODEA, Mr. K. S.
GILDER, Dr. M. D.
GINWALLA, Mr. F. J.

GUNJAL, Mr. N. R.
JADHAV, Mr. B. V.
JAIRAMDAS DONTATRAM, Mr.
JOG, Mr. V. N.
KALID, Rao Bahadur R. R.
KAMBLI, Rao Bahadur S. T.
KARKI, Mr. M. D.
LALJI NARANJI, Mr.
LALJIJI, Mr. Hooseinbhoy Abdullabhooy
MAJNUDAR, Mr. N. G.
MIR MAHOMED BALUCH SHAIKH, Mr.
MUMJANDAR, Sardar G. N.
MUKADAM, Mr. W. S.
NAIK, Rao Bahadur B. R.
NANAL, Mr. B. R.
NARIMAN Mr. K. F.

NAVLE, Mr. N. E.
 PAHALAJANI, Mr. B. G.
 PATASKAR, Mr. H. V.
 PATEL, Mr. G. I.
 PATEL, Mr. J. R.
 PATIL, Rao Saheb D. R.
 PRADHAN, Mr. R. G.
 RAHMUTOOLA, Mr. HOOSENALLY M.
 RAJMAL LAKHMAND, Mr.

SARDESAI, Mr. S. A.
 SHANKARRAO JAYARAMRAO ZUNZAR-
 RAO, Mr.
 SHETH, Mr. A. D.
 SHIVDASANI, Mr. H. B.
 SURVE, Mr. V. A.
 SWAMINARAYAN, Mr. J. C.
 VANDEKAR, Rao Saheb R. V.

Tellers for the Noes : Mr. B. G. PAHALAJANI and Mr. J. C. SWAMINARAYAN.

Mr. B. G. PAHALAJANI (Western Sind) : Sir, may I request some information from the Honourable the President as regards the mode of taking divisions ? In the Legislative Assembly doors are closed as soon as three minutes are over after a division is called. Here in this Council the doors are kept always open. Do you not think, Sir, that there should be some regular rules or system regarding this, because, otherwise it is very difficult to settle the matter so far as the unwilling members are concerned, as they are dragged here and there. We had a discussion on this point in the conference of the Presidents in Delhi where we were told there may be a regular system under which the doors are closed within a certain time of the calling of the division so that no person can enter. This is done, I believe, in other Councils also. I would request you, Sir, to go into this matter in order to settle how divisions should be taken in future.

The Honourable the PRESIDENT : I shall certainly go into that question because I think it is very important and necessary at times. Two other honourable members have also approached me and drawn my attention to the same. I would say one thing ; of course, as I said, I will go into this question more carefully, but, extempore I might say that lobbying is nothing new to parliamentary life ; at the same time care must be taken that it is not really done in the manner it is done, in the very presence and before the eyes of the President. The whole difficulty arises—after all it must be brought home to all members themselves—because of the fact that some honourable members have no self-determination in the matter of coming to conclusions independently and firmly. But as the honourable member Mr. Pahalajani has drawn my attention to it, I shall certainly go into the question and see if anything can be done in that respect.

The Honourable Sir CHUNILAL MEHTA : Sir, I beg to move that Bill No. V of 1927, a Bill further to amend the Indian Stamp (Bombay Amendment) Act, 1922, be read a second time, and while I am asking for the second reading, I propose also, when the bill comes to be discussed clause by clause, to move a suitable amendment in clause 3 of the bill, that “the word ‘six’ shall be substituted for the word ‘five’.” That will carry out the undertaking that I gave to the House that this bill will be in force for only one year.

The Honourable the PRESIDENT : I understand that the Honourable the Leader of the House practically accepts the amendment of which notice has been given ?

The Honourable Sir CHUNILAL MEHTA : Yes, Sir. That is exactly what it amounts to.

Question proposed.

Mr. N. A. BECHAR (Karachi City) : Sir, I really desire that the subject matter of this bill should go before the select committee. My point is that, at that stage, the select committee would have the opportunity of amending the bill with regard to the exemption allowed under the Act. It states that documents up to Rs. 200 might be exempted. I desire that documents up to Rs. 1,000 should be exempted. That will not really matter much from the point of view of the Honourable the Finance Member, because when the honourable member the Finance Secretary made his speech, he very rightly pointed out that the bill contemplates levying additional stamp duties on documents of larger value, and if the exemption is extended to documents up to Rs. 1,000 as I propose to move, I think there should be no objection to it, as the greater portion of this revenue is not going to come from the rural areas. If the amendment to extend the exemption to all documents up to Rs. 1,000 is accepted, it will not effect any great reduction in the revenues. I hope that amendment will be accepted, or the bill will be allowed to go to the select committee, so that the select committee have an opportunity of studying that question.

Rao Bahadur R. R. KALE (Satara District) : Sir, I think that no good or useful purpose will be served by referring the bill to the select committee and in view of the undertaking which has been so nobly and gracefully given by the Honourable the Finance Member, I think that any further dilatoriness should be stopped. I would really advise the honourable member not to move his amendment at all, but accept with grace what has fallen from the Honourable the Finance Member.

Mr. HOOSEINBHOY ABDULLABHOY LALLJEE (Bombay City) : Sir, I rise to oppose the second reading of the bill. I really expected that the Honourable the Leader of the House, after ascertaining the views of the popular side on this bill and after having seen the exhibition of canvassing that has taken place, would not move for the second reading of the bill, especially when we know the position of the individual members under the present constitution, and as they have been all along under the authorities with regard to political personal rights. I do think, Sir, that under the circumstances the Honourable the Finance Member ought not to have moved for the second reading of the bill at all. Sir, it has been pointed out during the course of the discussion on the first reading that the present condition of the country is such that no man should come forward to tax the country further. Still, the Honourable the Finance Member, knowing as he does the condition of the people of the presidency so well, being himself a citizen of this city which has been losing its trade for the present, and knowing very well that we are unable to bear any more burden, moving for the second reading of the bill is a surprise to me. I hope that the Honourable the Finance Member will, out of deference to the popular view, not press for the second reading.

Mr. R. G. PRADHAN (Nasik District) : Sir, I strongly oppose the second reading of the bill. No doubt, the first reading of the bill has been passed by a very small majority, a majority of 4. In other words, the first reading of the bill has been passed by a majority which includes officials and some nominated members. Though we, on this side of the House, are defeated on the first reading of the bill, there is now an unmistakable indication of public opinion and public feeling with regard to this bill. There can be absolutely no doubt whatever that the electorates of this presidency which have returned us and to which we are responsible, are strongly against this bill, and yet, in spite of this clear and unmistakable indication of the will of the people as regards the iniquitous nature of the bill, the Honourable the Finance Member has proposed the second reading of the bill. The more graceful and proper course on his part would have been to see that public opinion really is against the bill, and therefore he should have been the first to tell the House that in view of the unmistakable indication of the opinion of the House and the temper of the House, he would withdraw the bill. That has not been done. Though we have been defeated on the bill, we have faithfully and clearly and strongly and emphatically expressed the feeling and the opinion of the people with regard to this bill. No doubt, the Government, relying on their official voting strength, may be able to carry through the second reading and the third reading of this bill, in spite of the temper of the elected portion of the House, thereby thrusting this bill upon the people. Still, depend upon it, the people, the electorates upon whom the burden will fall of this additional taxation, and to whom we are responsible, and to whom the Government are and ought to be responsible will ultimately say that the Government have betrayed their interests.

Mr. B. V. JADHAV (Satara District) : Sir, I support the second reading of the bill. Now that the first reading of the bill is passed, the Honourable the Finance Member says that the second reading should not be withheld. I think that the bill ought to go to a select committee.

Mr. B. T. DESAI (Bombay City, South) : Sir, I oppose the second reading of the bill, and my grounds are that it has been shown to the Government by the members who have been elected in the most unmistakable terms what the public really wants. Government has won by a majority of 4. In that 4 of course there were 3 nominated members, I understand ; as a matter of course, they ought to have voted with us, and that ought to have been all right. Sir, I am very glad to see that the remarks I had made at the time of the discussion on the budget as to what is the meaning of nomination have been shown to be true in this voting. Sir, we have seen that all the nominated members were practically forced, because they were nominated by Government, to vote with Government. That has been the position, and when there has been such a narrow majority, Government ought not to have insisted on the second reading of this bill. Of course it will be fair and graceful for the Government if this bill had not been put for second reading. As it has now been put for second reading it should be rejected.

The Honourable the PRESIDENT: Order, order. I think if I allow a discussion on this motion honourable members will be led to go into the arguments that have already been placed before the House so fully. We have come to the close of our time to-day. Therefore if the House agrees—and it will cut short the matter—I shall put the question to the House. The amendment will come after that. Whether the House does or does not allow the second reading of the bill must be decided first, and then alone as circumstances stand the amendment can come in.

Bill read a second time. Question put. House divided. Ayes: 52, Noes: 26.
Motion carried

Division No. 2.

Ayes

ABDUL LATIF HAJI HAJRAT KHAN, Khan Sahab
ARMAD, MOULVI RAFI UDDIN
ALLAHBAKSH walad Khan Sahab HAJI
MAHOMED UMAR, Mr.
AMBEDKAR, Dr. B. R.
ANDERSON, Mr. F. G. H.
BALAK RAM, Mr.
BHURGERI, Mr. J. W.
BHUTTO, Khan Bahadur S. N.
BIJARAN, Khan Bahadur SHER MUHAM-
MAD KHAN,
BIRADAR, SARDAR MAHABOOBALI KHAN
BOLE, Mr. S. K.
BROWNE, Mr. D. R. H.
CHATFIELD, Mr. G. E.
DABHOLKAR Sir VASANTRAO
DAGUMIYA, Mr. G. A.
DESAI, the Honourable Dewan Bahadur
HARILAL D.
DUGUID, Mr. A.
GHOSAL, Mr. J.
HARRISON, Mr. C. S. C.
HATCHE, Mr. G. W.
HOTSON, the Honourable Mr. J. E. B.
JADHAV, Mr. B. V.
JANVEKAR, Mr. D. A.
JEHANGIR, the Honourable Mr. COWASJI.
JITEKAR, Mr. HAJI IBRAHIM HAJI
MAHOMED

JONES, Mr. W. E.
JOSHI, Mr. S. C.
KAY, Sir JOSEPH
KIRCHHO, Mr. M. S.
MANSURI, Khan Sahab A. M.
MARTIN, Mr. J. R.
MEHTA, the Honourable Sir CHUNILAL
MONTEATH, Mr. J.
MUTJUMDAR, Sardar G. N.
NOOR MAHOMED, Mr.
OLIVEIRA, Mr. F.
OWEN, Mr. A. C.
PAINTER, Mr. H. L.
PATIL, Rao Sahab D. R.
PERRY, Mr. E. W.
PETTIL, Mr. F. W.
PRADHAN, the Honourable Mr. G. B.
RIEU, the Honourable Mr. J. L.
SAYED MUHAMMAD KAMIL SHAH
SAYED MUNAWAR, Mr.
SHAIKH ABDUL AZIZ ABDUL LATIF, Mr.
SMYTH, Mr. J. W.
SOLANKI, Dr. PURUSHOTTAMRAI G.
TAUNTON, Mr. I. H.
THORNER, Mr. J. P.
TURNER, Mr. C. W. A.
WINTERBOTHAM, Mr. G. L.

Tellers for the Ayes: Mr. C. W. A. TURNER and Mr. B. V. JADHAV.

Noes

AMIN, Mr. H. J.
ASAFLE, Mr. R. S.
ATAVANE, Mr. A. M.
BHOSLE, Mr. M. G.
CHANDRACHUD, Mr. N. B.
CHIKODI, Mr. P. R.
DESAI, Mr. B. T.
DESAI, Rao Sahab D. P.
DESHPANDI, Mr. L. M.
FIRODIA, Mr. K. S.
GINWALLA, Mr. F. J.
GUNJAL, Mr. N. R.
KARKI, Mr. M. D.
LALLJEE, Mr. Hooseinbhoy Abdullahoy

MIR MAHOMED BALUCH SHAIKH, Mr.
NANAI, Mr. B. R.
NAVLE, Mr. N. E.
PATANKAR, Mr. H. V.
PATIL, Mr. J. R.
PRADHAN, Mr. R. G.
RAJMAL LAKHICHAND, Mr.
SARDesai, Mr. S. A.
SHANKARRAO JAYARAMRAO ZUNZARRAO,
Mr.
SURVI, Mr. V. A.
SWAMINARAYAN, Mr. J. C.
VANDERKAR, Rao Sahab R. V.

Tellers for the Noes: Mr. HOOSAINBHAY ABDULLAHBOY LALLJEE and Mr. H. J. AMIN.

The Honourable the PRESIDENT: According to the practice so far followed, all the tellers have to come up to the President. However, that is for the future now.

The second reading having been carried, the next step is to put the bill clause by clause. It is not a very long bill, and we can get through that easily.

An Honourable MEMBER: It is quarter past seven. Are we to sit till eight?

The Honourable Sir CHUNILAL MEHTA: If honourable members will permit it, it will not take a long time.

An Honourable MEMBER: Why not take it up to-morrow?

The Honourable Sir CHUNILAL MEHTA: I have consulted the wishes of several honourable members of this House, both on this side and on that side, and it seems to me that the majority are in favour of getting through this bill to-day.

Mr. JAIRAMDAS DOULATRAM: If it is not going to take long, we shall sit through it.

The Honourable the PRESIDENT: I understand the general sense of the House is that we go through it. It would not take long.

Bill read clause by clause

Clause 1 (*Short title*) ordered to stand part of the bill.

Clause 2 (*Commencement*) ordered to stand part of the bill.

Clause 3 (*Amendment of section 1 of Bom. II of 1922*).

In clause (ii) of section 1 of the Indian Stamp (Bombay Amendment) Act, 1922, hereinafter called the said Act, the words "and shall be in force for five years thereafter" shall be repealed.

The Honourable the PRESIDENT: There are three amendments all to the same effect, one by Rao Saheb D. R. Patil, another by Mr. A. D. Sheth...

Mr. A. D. SHETH: Sir, I withdraw my amendment.

The Honourable the PRESIDENT: I was just going to say that the Honourable the Finance Member has also an amendment.

Rao Saheb D. R. PATIL: I want to move that amendment and the Honourable the Finance Member can accept it.

The Honourable the PRESIDENT: The Honourable the Finance Member has submitted one.

Rao Saheb D. R. PATIL: I had already given notice.

The Honourable Sir CHUNILAL MEHTA: Mr. President, I shall be delighted to accept the honourable member Rao Saheb Patil's amendment.

Rao Saheb D. R. PATIL (East Khandesh District): Sir, I beg to move my amendment to clause 3, which runs as follows:

In clause 3 of the Bill for the words "the words 'and shall be in force for five years thereafter' shall be repealed" substitute "the word 'six' shall be substituted for the word 'five'."

[Rao Saheb D. R. Patil]

I do not think I need explain the object of my amendment.

The Honourable Sir CHUNILAL MEHTA : I accept it.

The Honourable the PRESIDENT : I put the amendment proposed. In the original Act, clause (iii) runs :

" It shall come into force on the first day of April 1922 and shall be in force for five years thereafter. "

Instead of " five years, " the amendment will make it " six years. "

Question put and carried.

Clause 3, as amended, ordered to stand part of the bill.

Clause 4 (*New sections 1-A and 1-B of Bom. II of 1922*) ordered to stand part of the bill.

Clause 5 (*Amendment of section 2 of Bom. II of 1922*) ordered to stand part of the bill.

Clause 6 (*Amendment of section 4 of Bom. II of 1922*) ordered to stand part of the Bill.

Preamble ordered to stand part of the Bill.

Third Reading The Honourable Sir CHUNILAL MEHTA : Sir,
I move that the bill be read a third time and passed into law.

Mr. S. C. JOSHI : Sir, what about my amendment ?

The Honourable the PRESIDENT : I have before me from the honourable member Mr. Joshi a sort of an amendment. It is this :

" In the Bill V of 1927 the limit be raised from Rs. 3,200 to Rs. 1,000 "

He does not say to what clause this amendment is proposed. Therefore, I would like to know it from him.

Mr. S. C. JOSHI : To the schedule.

The Honourable the PRESIDENT : If it is to the schedule, I rule it out of order. Now, the question before the House is that the bill be read a third time and passed into law.

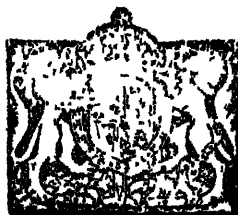
Bill read a third time. Question put and carried.

The Honourable the PRESIDENT : The bill is read a third time and passed into law.

The House will now adjourn till 2 o'clock to-morrow, Saturday the 26th February 1927.

Vol. XIX

Part VII



Bombay Legislative Council Debates

Official Report

Saturday, February 26, 1927

[Price—Annas 5 or 6d.]

BOMBAY
PRINTED AT THE GOVERNMENT CENTRAL PRESS
1927

Obtainable from the Superintendent of Government Printing and Stationery,
Bombay; from the High Commissioner for India, 42 Grosvenor Gardens,
S.W. 1, London, or through any recognized bookseller.

26 FEB. 1927]

Saturday, the 26th February 1927

The Council re-assembled at the Town Hall, Bombay, at 2 p.m.; on Saturday, the 26th February 1927, the Honourable the President, Mr. A. M. K. DEHLAVI, Bar.-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Saheb
 ADDYMAN, Mr. J.
 AHMAD, MOULVI RAFIUDDIN
 ALLAHBAKSH walad Khan Saheb HAJI MAHOMED UMAR, Mr.
 AMBEDKAR, Dr. B. R.
 AMIN, Mr. H. J.
 ANDERSON, Mr. F. G. H.
 ANGADI, Rao Bahadur S. N.
 ASAVLE, Mr. R. S.
 ATAVANE, Mr. A. M.
 BALAK RAM, Mr.
 BECHAR, Mr. N. A.
 BHOSLE, Mr. M. G.
 BHURGRI, Mr. J. W.
 BHUTTO, Khan Bahadur S. N.
 BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
 BIRADAR, SARDAR MAHABOOBALI KHAN
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 BROWNE, Mr. D. R. H.
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 CHATFIELD, Mr. G. E.
 CHIKODI, Mr. P. R.
 DABHOLKAR, Sir Vasanttrao
 DAGUMIYA, Mr. G. A.
 DAUDKHAN SHALEBHOY, Mr.
 DESAI, the Honourable Dewan Bahadur HARILAL D.
 DESAI, Mr. B. T.
 DESAI, Mr. J. B.
 DESAI, Rao Saheb D. P.
 DESHPANDE, Mr. L. M.
 DIXIT, Dr. M. K.
 DUGUID Mr. A.
 FIRODEA, Mr. K. S.
 GHOSAL, Mr. J.
 GHULAM HAIDAR SHAH, Mr.
 GHULAM NABI SHAH, Khan Saheb
 GILDER, Dr. M. D.
 GINWALLA, Mr. F. J.
 GUNJAL, Mr. N. R.
 HARRISON, Mr. C. S. C.

HATCH, Mr. G. W.
 HOTSON, the Honourable Mr. J. E. B.
 JADHAV, Mr. B. V.
 JAIRAMDAS DOULATRAM, Mr.
 JAN MAHOMED KHAN, Khan Bahadur
 JANVEKAR, Mr. D. A.
 JEHANGIR, the Honourable Mr. COWASJI
 JITEKAR, Mr. HAJI IBRAHIM HAJI MAHOMED
 JOG, Mr. V. N.
 JONES, Mr. W. E.
 JOSHI, Mr. S. C.
 KALE, Rao Bahadur R. R.
 KAMBLI, Rao Bahadur S. T.
 KARKI, Mr. M. D.
 KAY, Sir JOSEPH
 KHUERO, Mr. M. S.
 LALJI NARANJI, Mr.
 LALJEE, Mr. Hooseinbhoy Abdullabhoy
 MAJMUDAR, Mr. N. G.
 MANSURI, Khan Saheb A. M.
 MARTIN, Mr. J. R.
 MEHTA, the Honourable Sir CHUNILAL
 MIR MAHOMED BALOOCH SHAIKH, Mr.
 MONTEATH, Mr. J.
 MUJUMDAR, Sardar G. N.
 MUKADAM, Mr. W. S.
 MURZBAN, Mr. P. J.
 NAIK, Rao Bahadur B. R.
 NANAL, Mr. B. R.
 NOOR MAHOMED, Mr.
 OLIVEIRA, Mr. F.
 OWEN, Mr. A. C.
 PAHALAJANI, Mr. B. G.
 PAINTER, Mr. H. L.
 PATASKAR, Mr. H. V.
 PATEL, Mr. G. I.
 PATEL, Mr. J. R.
 PATIL, Rao Saheb D. R.
 PERRY, Mr. E. W.
 PETCH, Mr. F. W.
 PRADHAN, the Honourable Mr. G. B.
 PRADHAN, Mr. R. G.
 RAHIMTOOLA, Mr. HOSENALLY M.
 RAJMAL LAKHICHAND, Mr.
 RIEU, the Honourable Mr. J. L.
 SARDESAI, Mr. S. A.
 SAYED MUHAMMAD KAMIL SHAH
 SAYED MUNAWAR, Mr.
 SHAIKH ABDUL AZIZ ABDUL LATIF, Mr.
 SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.

SHETH, Mr. A. D.
 SHIVDASANI, Mr. H. B.
 SMYTH, Mr. J. W.
 SOLANKI, Dr. PURUSHOTTAMRAI C.
 SURVE, Mr. V. A.
 SWAMINARAYAN, Mr. J. C.
 TAUNTON, Mr. I. H.
 THORNER, Mr. J. P.
 TURNER, Mr. C. W. A.
 VANDEKAR, Rao Saheb R. V.
 WILES, Mr. G.
 WINTERBOTHAM, Mr. G. L.

The Honourable the PRESIDENT: Order, order. Supplementary grants.

SUPPLEMENTARY ESTIMATES

Elections for the Bombay Legislative Council and the Legislative Assembly.

The Honourable Sir CHUNILAL MEHTA: Sir, the first grant stands in my name. An additional grant of Rs. 10,000 is required to be re-appropriated from the reserve at the disposal of the Finance Department. The circumstances are all explained in the printed statement*. The total grant is Rs. 30,000.

Question proposed.

MOULVI RAFIUDDIN AHMAD (Central Division): Mr. President, there is a general complaint about remissness in connection with the electoral rolls, and I hope the Honourable the Leader of the House will throw some light upon this subject and let us know whether any arrangements are being made or are likely to be made in the future for the removal of all complaints. I hope he will see fit that due machinery is provided for enlistment of all persons entitled to vote. I hope he will be kind enough to say, if an enquiry has been made, what has been the result of the enquiry. If the Honourable the Leader of the House will satisfy the House on these points, I do not think there will be any objection to sanction the demand.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Mr. President, with respect to the demand for an additional grant of Rs. 30,000 in connection with election expenses, I have to state that though such a big amount has been spent by Government, the electoral rules are not being properly given effect to. Many names are being left out and in future it is desirable that Government should start the work much earlier and that they should give sufficient time to the district and taluka officers for the purpose of carrying out this work of preparing voters' lists. It so happens that the order goes from the district officer to the taluka officer and the list is to be submitted within a period of 10 or 15 days, and at that time nobody tries to make a proper list. The order goes to the talati; the talati does not again make any enquiry and any changes that are necessary, and those results are sent on to the District Magistrate, who is the returning officer, and so many mistakes occur that those mistakes

* Appendix 2.

[Mr. J. C. Swaminarayan]

have to be rectified at a later stage. The period of time that is given to the other people for the mistakes to be rectified is only 14 or 15 days, while a district comprises 900 or 1,000 villages and it is not possible that all the applications for rectifications can be sent in in the course of 14 days, and afterwards it is very difficult to rectify the errors. Now, the other difficulty that arises is that when the roll is first published, it is only published in the office of the Collector. It so happened that in Viramgaum the list was not published at the time of the preliminary publication altogether, and about 70 or 80 names were left out, and then people afterwards applied to the Collector. Then he said "At the time of the preliminary publication you ought to have applied for correction; now it is not possible to alter the roll." In this way many voters were left out. Consequently, the first preliminary publication must be made in the Collector's offices as well as in taluka offices and in all the choras of the villages so that the people would know whether their names are included or not. This time the lists were not published in the different villages. The lists may have been prepared in the office of the returning officer, but the publication throughout the district was not regularly made and many incorrect names were entered so that many voters were disappointed because their names were not correctly printed. Consequently, when such a big expenditure is incurred at the time of elections, greater care should be taken by the authorities to make the lists as complete and correct as possible.

Mr. N. A. BECHAR (Karachi City): Sir, the position which has just been related by the honourable members Moulvi Rafiuddin Ahmad and Mr. Swaminarayan is quite correct even in so far as Sind is concerned. In Karachi there were about 18,000 to 19,000 voters recorded on the registers but I assure you, Sir, that one-third of the voters either did not exist in Karachi or their names were entered twice or thrice with the result that, although you may say that you have a popular constituency with such a large number of voters, in effect the number of voters is very small. In Karachi the work was entrusted to a few people who were already burdened with their regular duties and they were asked to send the lists within eight or ten days, with the result that they never did anything; a few names here and there they may have added, and they simply returned the lists to the deputy collectors who in return forwarded them on to the Collectors. I can challenge and I can prove that in many quarters the enumerators ever visited the places. It is therefore very difficult for a large number of voters at the end to go and say "please enter our names." I can understand a name omitted here and there and that a voter may very well insist upon having his name properly entered. But if you make your lists so defective that about 30 to 40 per cent. are not either entered or entered twice over, then I say it is time somebody looked into it. Therefore I suggest that when after two or three years new lists will be prepared, those responsible for printing the lists should see to it that as much money as is required is spent on getting out lists which are as nearly correct as it is possible to make them, so that every one who is entitled to vote would have his name entered on the electoral

[Mr. N. A. Bechar]

roll and would be able to exercise the vote that has been given to him by the constitution. Voting is an important thing and I think nobody who is entitled to vote should be given any opportunity of saying that he was either prohibited or prevented from exercising his right or that owing to carelessness on the part of the enumerators his name was shut out and he was thus deprived of his right to vote. If necessary even Rs. 50,000 more may be spent on the preparation of electoral rolls in future.

Mr. W. S. MUKADAM (Panch Mahals District) : Sir, when the question of the elections has cropped up, I would like to say a word regarding the difficulties which are experienced in connection with the preparation of electoral rolls. I find that the whole system of election is in need of improvement. What I found in my constituency was that some of the agriculturists paying land assessment of over Rs. 16 (in my district and in Ratnagiri the qualification for a voter is Rs. 16 assessment) were not entered in the electoral rolls. I made enquiries and was told by them that when they went to the village choras the talatis told them that so many names were not required and that the lists were quite full and there was no necessity to increase them.

Another thing is that the inamdars and talukdars are asked by the officials to submit the lists of voters living under their jurisdiction. But what have these inamdars and talukdars done? I know particular instances in which they gave lists of those persons who pay them Rs. 16 and above as the rent of the land and not land assessed at Rs. 16, and when that bulky list comes, no one cares to scrutinise it or to look into it or to go deep into the matter. When such sorts of defects are brought to the notice of the returning officers, the reply given everywhere is unanimous that it is the duty of the candidates themselves to look into all these things. If the duty of seeing to the defects and mending them is the duty of the candidates, I see no reason why Government should spend so much money on these electoral rolls. When these names come from the inamdars and talukdars, they are not scrutinised and no care is taken to see that those who pay assessment of Rs. 16 are duly shown on the lists.

At the time of elections in talukdari towns, where there is control of talukdars, the illiterate voters are huddled into a building or a room and from there they are brought down to the polling stations where two or three pattawallas of the talukdars or persons engaged by the talukdars are kept specially for the purpose of watching them. In order to put a stop to this method or improve it, I went to the Collector who was the returning officer in my district and at my request he immediately sent a circular round, I was told, instructing the polling officers that no one except the persons on duty should be allowed to sit in the polling stations. That was done by the Collector as duty wanted him to do, but to my utter surprise from the reports which have reached me from my agents (which reports I verified and found to be correct to my knowledge), I found that at Limbdi and at such other places in talukdari towns the talukdars actually sat at the polling stations and yet the presiding officers did not object. An objection petition was then submitted by the agents of a candidate and still nothing was done.

[Mr. W. S. Mukadam]

The next thing I want to draw attention to is that in the last electoral roll there were names of persons who were dead and gone. In this world there is no power in any human being to bring back to life any one who is gone for ever, but at the time of elections I find somehow even dead persons manage to come to life again and vote. I think that must be the bitter experience of you, Sir, when you were in my district for your election work. No care is taken by the officers concerned either in preparing rolls or in conducting elections.

When I look to the voting papers, I find that Government seem to have practised rigorous economy only in the matter of these voting papers. Irrespective of the number of candidates, the size of the papers used is too small to allow enough room for the figures and pictures, and signatures of the voters. The pictures were so badly done that a horse looked like a donkey, and the picture of a tiger (which was my symbol) had the appearance of a cat and the sword resembled a chilly. Illiterate people are not able to discriminate properly and the result is that they put the crosses at the wrong place. The place for crosses was at the bottom of the paper, and unfortunately I was the last candidate. This sort of false economy should not be practised by Government when they are so liberal in regard to other departments. That sort of liberalism may well be extended to these voting papers, and I hope the pictures and the papers will be very much better next time. If the Honourable Member in charge of the Legal Department gives an assurance that these grievances will be redressed, I think there will be no harm to sanction the grant.

The Honourable Mr. J. E. B. HOTSON : Sir, Government do not claim that the voters' lists on this occasion were perfect, but we do think that they were a considerable improvement on any previous rolls, and I think that is borne out by the fact that, taking the presidency as a whole, many more votes were recorded on this occasion than ever previously. Two explanations of the defects in the rolls have already been offered by the honourable members who have criticised them. One is that the talatis have got to do this in addition to their other work. That is quite true.

Mr. W. S. MUKADAM : On a point of information, may I know whether the talatis are paid any extra allowance for this work ?

The Honourable Mr. J. E. B. HOTSON : The talatis are not paid any extra allowance ; they have to do this in addition to their other work, and they are already very hard worked officers. If Government were to employ special establishment for the purposes of preparing the rolls, it would cost a very great deal of money, and we have so far avoided doing so. The second reason given was by my honourable friend from Panch Mahals (Mr. Mukadam), and that is that no one cared to scrutinise the lists. The preliminary lists were put up in April. That was not the statutory list, but an additional list prepared by Government for the convenience of the electors and the candidates. They were put up in April, and they were put up in every *chora* in the country. If they were

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not put in any particular *chora*, we should be glad to hear the names, and we can then find out who is responsible for the omission.

Mr. J. C. SWAMINARAYAN : It was not put up in Virangam.

The Honourable Mr. J. E. B. HOTSON : If the honourable member will be so kind as to give us the names, we will take notice.

As I say, the preliminary publication was early in April. From then on until September, every potential voter had the opportunity of looking at the lists in every *chora* and in the Collector's *kacheri*, whoever chose to go there, and applying to have his name added. They did not do so in very many cases. That is partly because the electors themselves were not alive to their responsibility and partly because the political party system has not yet sufficiently developed for the candidates to have their agents to go round and see that the names of the persons they expect to support them are on the lists. After the first extra publication, the first statutory publication took place early in July. From early in July until the time of the final list in September, any candidate could go to the court and ask to have his name added, and he had not to pay any court fee whatever for doing so. I think that will show that though the lists were defective, it was at least as much the fault of the voters and the candidates as of the unfortunate talatis.

Mr. S. A. SARDESAI : May I suggest one remedy ?

The Honourable the PRESIDENT : Is the honourable member asking for any information.

Mr. S. A. SARDESAI : I am suggesting a remedy.

The Honourable the PRESIDENT : The honourable member will resume his seat and suggest his remedy after the Honourable the Home Member has had his say.

The Honourable Mr. J. E. B. HOTSON : We have heard, on several occasions, of irregularities, and we have asked those honourable members who have mentioned them to us to give specific instances. Only a few days ago, I have asked the honourable member from the Panch Mahals to do so, and when we get any such specific cases we will take notice of them.

As for the voting papers, the honourable member from the Panch Mahals is justified in his objection. Owing to a printer's error, which was discovered too late for correction, there was not sufficient room on some of the papers. We have taken note of that, and we hope that the mistake will be remedied in future. That was not false economy or any sort of economy. It was merely a mistake which we much regret, and I can assure this House that Government will do everything in their power to have the lists made properly before the next time the elections come on.

Mr. S. A. SARDESAI (Bijapur District) : Mr. President, I wish to suggest one remedy, so that the names of voters may not be omitted in the future lists, and that is that the qualifications of the voters should be advertised in newspapers having a wide circulation. Many people are

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not likely to know the time of the first publication and the second publication. Therefore, Government should advertise in local newspapers when the first publication will take place, and how they should insert the names which are omitted, and when the second publication will take place, and so on. In that way the work will be facilitated. I myself asked the officials to let me know the qualifications of the voters; they told me they are in the *kucheri* and they will search for them and then give them to me. I wanted this information, because I wanted to advertise myself the qualifications of voters in local newspapers. This is a simple business, and if it is done, every village will look after the names that have not been inserted. This is not a great thing. Government should be careful in future to advertise all the qualifications of the voters in the local newspapers, and also the time of the first publication of the list, if the names are omitted in the first list how to get their names inserted and if the names are omitted from the second list what they should do to get them inserted. This is not a great work, and in future if this is done Government will see that many voters' names are inserted in the final lists.

The Honourable Mr. J. E. B. HOTSON : May I make an explanation, Sir ! The remedy suggested by the honourable member, Mr. Sardesai, has already been adopted. Well in advance of the preparation of the rolls, a Press Note was published by Government, giving full details of the qualifications, and what means people should adopt to have the names inserted. That Press Note was sent to all the newspapers, and published by all the newspapers that thought fit to do so.

Mr. S. A. SARDESAI : It was not done in my district at least.

Mr. A. D. SHETH (Ahmedabad District) : Sir, I would like to add a few points. The honourable the Home Member has just said that the lists were put up at all the *choras*—the preliminary lists, not the statutory lists—and the electors and the candidates would have done well to see to these things. Personally, I thought that I ought to look into these preliminary lists. So, I toured about 25 to 30 villages to see whether all the names of my supporters were on the list. At every village I enquired of the *mulhi* whether the list was with him or was fixed on the *chora*, but I was told that the lists were not received. This was 5 or 6 days after the Government had advertised that the lists were put upon the *chora*. This is my own personal enquiry and my own personal information. I do not depend for these things upon any hearsay reports. What I mean to say is that the preliminary lists which were reported to have been sent were not sent, and when I enquired for a copy, I could not get it. So, I had to take another alternative altogether : I went to every village, took the names of all my supporters and took applications signed by them saying " Please add my name."

Out of 50 names in a village only 30 names were found and the others were added. This had to be done in the Dhandhuka taluka which was my great support. I submit that this point may be noted by the Honourable the Home Member.

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As regards the preliminary list the instructions were to see whether the list of the previous council contained any dead names. They were verified and the dead names were struck off and the remaining names were retained. These instructions were carried out in the Dhandhuka taluka : the names of the dead voters were struck off and the names of others were retained ; but no new names were added. That happened in the Dhandhuka taluka and that is also my personal information.

The third thing is : In the Viramgaon taluka some one dozen names were seen in the preliminary lists, but when the people came to verify their names in the final list they were not found. Not because there were objections for the retention of those names but because of some mistake. It did happen that the new names that were contained in the original preliminary list, did not appear in the final list ; and those people were deprived of their votes.

As regards the Goghla taluka the voters of many villages were asked to go to a polling booth which is 12 miles distant in spite of the fact that there was another polling booth within a distance of 6 miles. The principle of sending the voters to the nearest polling booth was not observed. In spite of the fact that there was a polling booth near, the voters were compelled to undergo the hardship of going twelve miles to exercise their franchise. I told the mahalkari about the inconvenience that would be caused to the voters by this arrangement. He answered that their rule was that the polling booth should not be at a distance of more than 12 miles. I told him that it might be correct but why should the people be made to go such a long distance when there was a polling station nearer. He did not mind my suggestion. This is what happened in Goghla.

The fifth point I want to bring to the notice of the Honourable the Home Member is that in the Viramgaon taluka my election agent as well as the agent of the honourable member Mr. Swaminarayan were asked to go away and clear out of the polling station. There was a telegram addressed by them to the Collector. The reason was this. In the polling station admission was given to the officers of the Patdi durbar. There were four or five chairs and these were occupied by them. There were no more chairs for these two agents. When they asked the polling officer he told them to sit on the floor as there were no chairs. These agents protested. The polling officer told them : " I am not bound to have you here : you can clear out. " These agents left and the voting took place there without the agents. When the agents sent a telegram to the Collector, no notice was taken about it.

The next thing is that pointed out by the honourable member Mr. Mukadam. In the voting paper given to the voters there was not sufficient place for putting cross. The space was so little that the crosses could not be put in. It would be better to have as many columns for the crosses as there are candidates and those sufficiently big.

One thing more which I wish to add is about the date fixed for voting especially in Gujarat. The last elections fell on a day when the agriculturists were very busy. But I realise that we cannot have the elections

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at a time when agriculturists are not busy. But one thing can be done. The agriculturists of Gujarat observe holiday on the 1st and 11th of every month. If the election day is fixed at a time when they observe this holiday that will facilitate voters to exercise their franchise.. Neither the agriculturists nor the Government would lose anything by this arrangement. With these remarks I resume my seat.

Mr. P. J. MURZBAN (Bombay City, South) : Sir, I wish to draw the attention of the Honourable Member to the last elections in Bombay. The arrangements were absolutely scandalous. I stood from Bombay City, South, and the polling took place in the Wilson College. Many electors, ladies and gentlemen, who had come to give their votes had to wait outside for hours together. It was an open rumour that the whole thing was mismanaged most abominably. I hope that if a little extra money is spent better results can be secured. It was with great difficulty and by the tact of the presiding officer that the electors were allowed to take their seats outside the election room. Only by that strategy all electors could record their votes. I hope better arrangements will be made for the next election.

The Honourable Sir CHUNILAL MEHTA : Sir, I should like to say a few words in reply. The Honourable the Home Member who is in charge of this administrative department has already mentioned to the House what has been done in the matter. This question was very fully discussed in the Finance Committee and Government are very anxious to see that as many facilities as possible are given to conduct these elections in the best manner possible, in order to attract the largest number of voters to come, and to give every possible facility to candidates as well as electors.

I venture to suggest for the consideration of honourable members who are interested in and have experience of elections, that in addition to what they have stated they should put their heads together and make specific suggestions in writing to Government. I assure the House that we are anxious to see the largest number of voters to come and exercise their franchise on the occasion of these elections. My honourable colleague will take note of every suggestion made by honourable members, but the course I have suggested will secure better results.

Question put and carried.

The Honourable Mr. J. E. B. HOTSON : Sir, I have now to ask for the second grant on the list*. I bring to the notice of the honourable House that the statement as originally printed omitted to take notice of the fact that the officer concerned had gone on leave, and therefore a substituted statement has been presented. The amount actually required is, Rs. 20,103, which is merely a transfer from the non-voted to the voted expenditure under 24-Administration of Justice. I move that

Rs. 20,103 be transferred from 24-Administration of Justice (non-voted) to 24-Administration of Justice (voted).

Question proposed.

Mr. L. M. DESHPANDE (Satara District): Sir, it is stated in the original list that the sum required is Rs. 13,906, but in the subsequent list it has gone up to Rs. 23,103. How is it that in two days a sum of Rs. 7,000 has been added?

The Honourable Mr. J. E. B. HOTSON: I think, Sir, the explanation is given in the revised statement. Originally only the pay was calculated, and now the leave allowances are also included.

Mr. L. M. DESHPANDE: In the original statement, the words are: "An additional allotment of Rs. 13,906 on account of the pay and allowances of the non-I.C.S. incumbent of the post is therefore required." So, the allowances seem to be included in the original statement.

The Honourable Mr. J. E. B. HOTSON: "Allowances" in the original statement mean allowances while he was on duty, and not leave allowances.

Question put and carried.

Current repairs to Government House, Bombay.

The Honourable Sir CHUNILAL MEHTA: Sir, I beg to ask for a transfer of Rs. 28,150 from 41, Civil Works (Transferred) to 41-Civil Works (Reserved), on account of the circumstances that have been explained in the note*, with regard to the valuation of certain Government properties in Bombay.

Question put and carried.

Additional contract grant under 7-Stamp for the Central Stamp Depot, Karachi.

The Honourable Mr. J. L. RIEU: Sir, I beg to move for an additional grant of Rs. 9,500, on account of railway freight charges on postage stamps issued to the Karachi Depot from the Nasik Security Printing Press. The charge will be met by a transfer from 47, Miscellaneous (Reserved).

Question put and carried.

Honoraria to the Honorary Staff at the J. J. and G. T. Hospitals.

The Honourable Dewan Bahadur HARILAL D. DESAI: Sir, I beg to move for a grant of Rs. 33,600 to be re-appropriated from "32, Medical—Medical Establishment—District Medical Officers" to "32, Medical—Transferred." At the J. J. and G. T. Hospitals a new policy has been undertaken of engaging the services of independent Indian Medical practitioners. They were not being paid anything, but in order that they should be paid for their out of pocket expenses and for their trouble a scheme has been devised, whereby from the 1st of July 1926 they are to be given honoraria as suggested in the statement.* As expenses have been incurred in anticipation of sanction, I request that this grant may be sanctioned.

Question proposed.

Mr. B. G. PAHALAJANI (Western Sind): Sir, this is a matter in which the Council should insist on certain information being given to it. I do not wish to say anything against the grant, but the appointment of private practitioners in Bombay involves a departure in policy, and the Council

* Appendix 2.

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will be entitled to know to what extent the new policy is being pursued and to what extent whole time professors have been substituted by the honorary professors who are to be given these allowances. I would certainly endorse any attempt at introducing this system which is prevalent in other countries and has been successful, but the House is entitled to know what the proportion of these appointments is. I hear that this system was started by the previous Education Member, the Honourable Mr. Jadhav. Either he or the Honourable Minister in charge should be able to tell us exactly to what extent they have adopted the system and to what extent they are prepared to go with it.

MOULVI RAFIUDDIN AHMAD (Central Division): Mr. President, I would like to add one or two observations to what has fallen from the honourable member Mr. Pahalajani. I want to know, Sir, whether these allowances are merely meant to cover conveyance expenses of these doctors or whether there is anything which is given to them in addition and I would also like to know whether there is any distinction made as between European and Indian honorary officers.

Mr. P. J. MURZBAN (Bombay City, South): Sir, I have given notices of amendments for cuts in the grants demanded for the honoraria that are proposed to be given to those doctors working in the hospitals which do educational work. Now, Sir, I may tell the Honourable Minister in charge that this system of honoraria has caused great dissatisfaction among the medical profession of Bombay, because the honoraria are unequally distributed, distributed without any equity or any sense of proportion. There are, Sir, any number of medical practitioners in Bombay who are absolutely eager to serve in the hospitals as honorary physicians and surgeons, because they know that the honorary service will enhance their practice. I do not understand why the Honourable Minister should want an additional grant, when the House is in a mood to cut down the honoraria that have been created. I therefore oppose this grant.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Sir, I support the demand made by the Honourable Minister for granting honoraria to the physicians and surgeons who are serving in the various hospitals that are doing educational work. This is an economical way of managing medical institutions, because if these physicians and surgeons were appointed as whole-time officers and the posts were held by officers of the Imperial Service or other highly paid service, the expenses would amount to a very large sum. This proposal to take the services of medical men as part-time physicians and surgeons in educational institutions is an economical way of managing these institutions. Therefore, I think that in this method of practising economy it is desirable to support the Honourable the Minister in devising this new way of economy.

Mr. F. J. GINWALLA (Bombay City, North): Sir, we have to oppose the additional grant for the simple reason that doctors who are serving in several capacities are doing the work free. We should not sanction this grant, because in one breath we clamour for retrenchment and if

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in another breath we allow these grants, there will be no consistency. There are hundreds of doctors who are willing to serve free, and when we have got a deficit budget, this is not the right time to sanction this grant. I wonder why Government, in anticipation of the sanction of this Council, gave them this grant. I hope, therefore, that when we are all serious on the point of retrenchment, this House will not support this grant. If we do, the result will be that we shall be charged of having no sense of proportion, or reason or consistency. I, therefore, ask this House to refuse to sanction this grant.

Dr. M. D. GILDER (Bombay City, North) : Sir, this is a measure which concerns medical men. Honorary staff was first appointed to the J. J. Hospital somewhere about the year 1896, and uptil now the men who worked on the staff did not raise the question of honoraria. Sir, it is a noble tradition of the profession to give their skill and part of their time gratuitously to the service of the sick poor. Where however medical teaching has to be done some honorarium may be claimed—an honorarium that can be covered by the fees received from the students. This is more or less the principle on which hospitals and medical schools are run in England—a place where most of the hospitals are supported not by the Government but by voluntary contributions. At the King Edward VII Memorial Hospital a carriage allowance of Rs. 150 is paid to the staff, but it is paid by the College for teaching as the staff of the hospital form also the staff of the College.

Then again in some instances Sir, honorary appointments are needlessly multiplied and more men are employed than is necessary. For instance on the staff of one of the local hospitals there are three honorary pathologists and when one of them resigned some time ago, another one was appointed in his stead without even consulting the staff about the necessity of such an appointment. Such is the state of affairs.

The Honourable Sir CHUNILAL MEHTA : On a point of information. I would just like to know from the honourable member Dr. Gilder who is an authority on the subject whether the payment of an allowance made in the King Edward Memorial Hospital is for professors alone. I understood him to say that Rs. 150 is paid to professors only. So, I would like to know whether it is paid to professors, or physicians and surgeons also.

Dr. M. D. GILDER : In reply to that question, I would tell the Honourable Member that this is paid to those who are connected with giving teaching in medicines. There are certain subjects on which only lectures are necessary to be delivered. For instance Hygiene is a subject on which lectures are necessary and it is necessary to pay these lecturers, because they are attached to the College and not to the hospitals. In the King Edward Hospital we have got Physicians and Surgeons who do the work of both teaching and surgery, etc. What I mean to say is that if you at all want to pay the honoraria to the medical men working in different hospitals, it should be paid to those who do the teaching work. I know for a fact that there are several hospitals in Bombay run by voluntary

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contributions and they do not pay any honoraria to the honorary staff.

The Honourable Mr. COWASJI JEHangIR : Sir, Dr. Gilder has given us a history of what used to happen in the old days and what is happening now. In the old days one of the strong complaints of well-known private practitioners of Bombay was that they did not get a chance of serving in the hospitals of Bombay and that this was a monopoly of the Indian Medical Service. It is in order to meet this demand from the practitioners of Bombay that the principle of allowing private practitioners to serve the poor in the Government hospitals was introduced. In England, as Dr. Gilder has informed this House, services are offered by medical men without any allowances. To the credit of the profession in Bombay, it must be said that the best medical men offer their services gratis in the same way, and Government have decided, and very wisely decided I would say, to make use of these services.

An Honourable MEMBER : But what is the history of this ?

The Honourable Mr. COWASJI JEHangIR : Dr. Gilder has given you the history and I am sorry that you did not pay attention to him.

Now, Sir, it seems that a couple of years ago some of these doctors felt that they should get their out-of-pocket expenses, and I may tell this House that the principle of paying them their out-of-pocket expenses was first introduced by the Municipal Corporation, of which my honourable friend, Mr. Murzban, is a well-known member. Therefore, I say that when in one hospital, whether it is managed by Government or a public body like the Municipality, a system of this kind is introduced, it is naturally rather infectious. The honourable member Mr. Ginwalla is also a member of the Bombay Corporation. Did he protest ?

An Honourable MEMBER : He was a member before ; not now.

The Honourable Mr. COWASJI JEHangIR : I am sorry. Evidently we are the gainers and the Bombay municipality are the losers. At any rate, it was quite possible for these honourable members to have protested in the Bombay Municipal Corporation when this system was introduced.

MOULVI RAFI UDDIN AHMAD : That is no reason.

The Honourable Mr. COWASJI JEHangIR : It is a good reason. After all, there is a limited number of well-known medical men in the city, and out of that number there is a limited number who are ready to give their services free and gratis to institutions whether they be run by Government or the municipality. Therefore, if one hospital which is run by a municipality offers certain temptations however small they may be, it is likely that the best men are drawn away to that institution, and other institutions, on the other hand, suffer. And, therefore, it is well to have a uniform practice for all institutions whether they be run by Government or the municipality.

Well, Sir, I personally think it is really not very much for these medical men whether they get a hundred or a hundred and fifty rupees each for the

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services they give gratis for the benefit of the people of the city of Bombay. It is not very much to them, nor is it very much to Government who get their services for nothing, to give them a small allowance for what they are out of pocket, and if for the services of 11 or 20 well known medical men in the city of Bombay it costs a mere trifle for eight months of Rs. 33,600, is it worth talking about in this honourable House? Is it dignified either for this honourable House or for the medical men who offer their services gratis and free, that we should discuss it? If you do not want to give it, express that opinion and Government will consider it.

This money has been paid. This is not an amount that is for next year. This is an amount that has already been paid in anticipation of your sanction.

Mr. F. J. GINWALLA : Who authorised you to pay that ?

The Honourable Mr. COWASJI JEHangIR : That is the system under which Government is run. A demand arises some time during the year and there is no time to consult the Council. Government anticipate the sanction of the Council and spend the money by reappropriation ; and that is done by every Government in every civilised part of the world. Well, Sir, I think we owe a deep debt of gratitude to the medical profession in Bombay who have given us their services for nothing, and if we do give them a small amount, let us give it generously.

Mr. S. A. SARDESAI : On a point of information. May I know how the selections are made ?

The Honourable Dewan Bahadur HARILAL D. DESAI : They are made by the Surgeon General.

Mr. HOOSEINBHOY ABDULLABHOY LALLJEE (Bombay City) : Sir, it should not be understood that I am against any allowances being given to the medical men who give their services gratis and free. But I do wish to point out that what the Honourable the General Member has stated is an exaggerated story. It was, Sir, as he just stated and rightly stated, a fact that the men belonging to the medical profession desired to do some service in the Government hospitals, but they were not given those opportunities, and right up to the time that the King Edward Memorial Hospital was started by the municipality, many of these eminent gentlemen had to keep away from doing some service to the poor. When the King Edward Memorial Hospital was started, these eminent gentlemen offered their services to the municipality and the municipality accepted them. As the municipality felt that these gentlemen should not be out of pocket because they were also going to be on the teaching staff, they decided to give them a sort of honorarium of Rs. 150 or so. It was then alone that with a view to take away the services of these eminent medical gentlemen, that a bait was offered by the Government in the shape of these allowances. I say this, Sir, because the Honourable the General Member made a remark that these eminent medical gentlemen who were working on the King Edward Memorial Hospital stuck to

[Mr. Hooseinbhoy Abdullabhoy Lalljee]

that hospital because they got Rs. 150 per month. I say, Sir, that Government is making the present offer in order to trap and take away these eminent medical gentlemen from the King Edward Hospital. But speaking for myself, I honestly believe that Rs. 150 is nothing to these medical men and will not induce these eminent gentlemen to go and do service for this amount in the G. T. or the J. J. or any other hospitals. Why they go to the hospitals is not because Government are anxious to give them a little allowance, but because they want to do the work which they are really qualified to do. Formerly, they were not treated so very well by Government. My honourable friend Dr. Gilder has pointed out that so far as the King Edward Memorial Hospital is concerned, those physicians and surgeons, who are also on the teaching staff of the hospital, get an allowance of Rs. 150; while we find in this list that Rs. 150 is proposed to be paid to honorary physicians and surgeons who are not also professors in the college. If the House desires that these gentlemen should be given those allowances, I have not the least objection. It is really only an offer to pay for their actual cost of conveyance. But I do wish that the Government will realise that they should not try to attempt to take away professors in this way from this King Edward Memorial Hospital or other hospitals for some other hospital of their own. Let Government offer them such facilities as are offered to them at the King Edward Memorial Hospital and they will get them willingly.

Dr. M. D. GILDER : On a point of information. How many members or how many men form the honorary staff of Government ?

Mr. C. W. A. TURNER : Sir, I rise to make a few observations and answer some of the points raised by honourable members opposite. In the first place, the honourable member Moulvi Rafiuddin has asked the number of honorary men, how many honorary men and how many I. M. S. men are now in these hospitals. The number of I. M. S. men in the G. T. and the J. J. hospitals is three only. Formerly practically all the posts were held by the I. M. S. The rest are all held by honorary men, with the exception of two, or three, including Drs. Duggan and Dalal. He asked whether these allowances were conveyance allowances. Strictly speaking, they are not; they are called honoraria, but they are intended to meet the out of pocket expenses of these honorary officers. He also asked whether any distinction was made between Europeans and Indians. I can assure him there are no Europeans concerned. He also asked whether there are any additional allowances given to these gentlemen besides these honoraria. I can tell him none.

Then, my honorable friend Mr. Murzban told us there are any number of medical practitioners who are eager to serve in the hospitals as honorary physicians and surgeons. Well, I am surprised to hear that. The impression given to Government at the time when these allowances were under discussion was the reverse of what he now says.

As regards the suggestion put forward by the honourable member Mr. Hooseinbhoy Lalljee, I can only say that it was the Bombay

[Mr. C. W. A. Turner]

corporation which set the example in giving honoraria to their staff at the K. E. M. Hospital, and, if it was a bad example, they must be held responsible for it. As to his statement that these honoraria were intended to be a bribe to the K. E. M. staff to desert their posts and come over to the Government Hospitals, I have no hesitation in denying his suggestion. At the outset the opposite condition prevailed. When the K. E. M. Hospital was first opened several members of the J. J. and G. T. Hospital staffs for reasons political and otherwise, were attracted there and left these two hospitals. I am glad to say that some of them are now showing a disposition to return to their old hospitals.

Mr. P. J. MARZBAN (Bombay City, South): May I offer a personal explanation, Sir? When I said that there was discontent in the medical profession, I referred to the manner in which these honoraria were distributed.

Mr. B. T. DESAI (Bombay City, South): Sir, this demand for grant I do oppose and my reasons for opposition are that the honourable member has not been quite right in drawing his analogy or rather in trying to follow the example of the Bombay Municipality. The Bombay Municipality stands on a different footing from this Council altogether. The Bombay Municipality has got control over the nominations of these honorary doctors while we have got none. In the case of the honorary physicians taken on the staff of these Government hospitals, we have no voice whatsoever, while in the Municipality it is the Corporators who elect and nominate and of course they have a direct supervision over these doctors and they are also in a position to judge whether proper work is being done or not.

Another argument in favour of the grant is this, that medical practitioners should be given a chance to learn work and as they have not got sufficient funds at their disposal, we should run to their assistance. To this argument the reply is that these hospitals will form a training ground for such medical practitioners and when they have not to pay for the training they obtain in these training grounds, why should they want anything from us? On the contrary, we would be justified in asking them to give a little contribution for the training that they get there. If that is not so, and if you want trained men already, I do not think these trained people and these practitioners, who are very high in their practice, will ever grudge Rs. 150 or will refuse to give their assistance without any honoraria. If the object is to deplete the municipal hospitals of the assistance that is already given to them, I think that is not proper, and even on that ground I would oppose this grant. Looking at this grant from any point of view either as training ground or otherwise, the analogy of the Bombay Municipality does not stand. If you are going to have the best people there, I do not think that they would in any way mind foregoing Rs. 150. I do not think that Rs. 150 would be any inducement as the honourable member thinks it would be to them. I think we are belittling their desire to render public service. Of course those who are ready to do public service and those who have reached high rank in their profession

[Mr. B. T. Desai]

will, I think, not grudge at all and in the present straitened circumstances of our finances, I think we ought to be very careful and it is on these grounds I oppose this grant.

Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Sir, I rise to support this grant. Irrespective of any prejudice or discussion as regards the reasons put forward against this grant, I think that we must look at this grant from a practical standpoint. That practical standpoint is this, *viz.*, how far we can expect an expert medical man to become fully charitable at the cost of his time, and at the same time at the cost of his pocket even to a small extent. If a poor man who is on his death-bed requires immediate assistance of a medical man, a medical man would be too willing to go to him and to assist him even at any cost to his own pocket or to his own time, but if a Government of a province like that of Bombay with a revenue of 14 or 15 crores asks a medical man to attend a hospital for a certain purpose, how far should that Government expect that medical man to exercise his feeling of charity ? Should it be 10 per cent., 50 per cent. or 100 per cent. ? To what extent, I ask ? The question, Sir, resolves itself into this. It is very clearly stated in this Note, that upto now no honorarium was being paid to these officers but it was represented to Government that though these gentlemen offered their services on a purely honorary basis, it was only fair that they should be reimbursed for the conveyance charges they had to incur. These words are very plain and they indicate that as Government asks expert medical men to do a charity in the interests of the welfare of the poor people to an extent that these expert medical men sacrifice their valuable time and practice, which they would otherwise devote to their private work, it is but fair that something should be paid to them which would at least pay for their conveyances. To expect these medical men to bear their own conveyance expenses would be most unfair to them. The question is a simple question, namely, the question of reimbursing the medical men for their conveyance charges which they are compelled or are required to incur on account of the distances they have to travel. From a practical standpoint, Mr. President, I think that it is quite clear that Government cannot expect medical practitioners to make a wholesale sacrifice for the sake of charity or public welfare. I wholly agree with the Honourable the General Member that any discussion on this question, however small it is, from the floor of this House is rather undignified for the House when we consider the position of Government on one side and the position of expert medical men on the other hand.

Mr. B. G. PAHALAJANI (Western Sind) : Just one point, Sir. The money has been already paid. It is therefore unnecessary to discuss this item. If the Honourable the Education Minister gives an assurance that he will look into this matter in the light of the different views expressed in this House, the House may well save time and pass the item without further discussion.

The Honourable Dewan Bahadur HARILAL D. DESAI : Sir, the money has been already paid as an urgent matter. I am prepared to

[Dewan Bahadur Harilal D. Desai]

consider the suggestions made by honourable members here to-day and I would therefore request the honourable House to allow this supplementary grant.

The Honourable the PRESIDENT : Before I put the question, if the House permits me, in the interest of the valuable time of the House, I should like to make a suggestion that while discussing these items all that is needed is that honourable members, who have a practical light to throw on the subject, when they have sufficiently informed the House to enable the House to make up its mind on granting or not granting an item, should themselves discourage further discussion.

Question put and carried.

Supplementary Demand, covered by reappropriation from 47—Miscellaneous—Reserved to 24—Administration of Justice, on account of fees for special Counsel....Rs. 10,000.

The Honourable Mr. J. E. B. HOTSON : Sir, I have to ask for a supplementary grant of Rs. 10,000, to be added to 21, Administration of Justice, for the purpose of fees for special Counsel, and to be reduced from the grant for Miscellaneous—Reserved.

In order to anticipate possible criticism, I would like to say that Government are most averse to paying any special fees if they can possibly avoid doing so, and, particularly since my honourable friend Mr. Balak Ram took charge of his office, all such requests have been very strictly examined and whenever possible refused. The particular reason in this case is that two exceptionally heavy cases have occurred, and have necessitated this unexpected expenditure. Even after this grant is made, the total expenditure for this year will be much less than it was three years ago, and only very triflingly more than it was last year. I hope, therefore, the House will give us this grant.

Mr. JAIRAMDAS DOULATRAM : The Honourable the Home Member referred to two extraordinary cases. Would he mention the two ?

The Honourable Mr. J. E. B. HOTSON : I refer the honourable member to the printed note, which names one of them. The others are cases from the Sukkur district. They were Crown against Hari Ram and Crown against Sujan Lall.

Mr. K. S. FIRODEA : What was the number of hearings and the fees paid ?

The Honourable Mr. J. E. B. HOTSON : I doubt if this information is relevant, Sir.

The Honourable the PRESIDENT : I did not quite follow the honourable member.

Mr. K. S. FIRODEA : I want information about the number of hearings that the case has taken and the amount of fees paid.

The Honourable the PRESIDENT : The note is in the hands of honourable members, and if they wish to argue it out, they can ask questions.

Question proposed.

Mr. F. J. GINWALLA (Bombay City, North) : Sir, it has been pointed out by the Honourable the Finance Member that this honourable House does not take sufficient care to check supplementary grants. That is what he said in his speech while introducing the budget. He said that we always try to oppose grants at the time of the budget, but when supplementary grants are asked for we do not pay any special attention to them. That is his complaint.

The Honourable Sir CHUNILAL MEHTA : I have never said so.

Mr. F. J. GINWALLA : I will point that out in a minute. I see, Sir, that when supplementary grants are asked for, Government have incurred the expenditure without consulting the Council. When I asked the Honourable the General Member about it, he said that that is a mode by which Government carries on the administration. That means that Government can do what they like, spend what they like, and after spending the money ask for the consent of the House. I say this is a mockery of democracy and of the power of the Legislative Council, and the sooner it is discouraged the better for us.

Sir, in this particular case, I think a case has not been made out for fees for special Counsel. Sir, the Cama case was conducted in Surat, and there was absolutely no necessity for engaging special Counsel for it. Mr. Chunilal Gandhi, the public prosecutor of Surat was quite capable of conducting the case, and there are many other capable men in Surat.

An Honourable Member : He is not the public prosecutor.

Mr. F. J. GINWALLA : If not he, then it was Dewan Bahadur Thakore-ram Kapilram, and he was quite capable of conducting the case, and it was an absolute luxury and waste of public money to have engaged special Counsel for the case and paid him special fees. The sooner this practice is discouraged the better. The Honourable the Home Member said that they pay such fees with great reluctance, but if there was any reluctance, he would not have sanctioned the payment. It has become the fashion now-a-days, to engage special Counsel and pay special fees. Therefore, from that point of view, and in view of the fact that there is a deficit budget, I think we must strongly oppose the demand.

Mr. N. B. CHANDRACHUD (Poona City) : Sir, any discussion on this demand at this stage I believe is like flogging a dead horse. Special Counsel has been engaged, he must have been paid the amount, and the House has no alternative but to sanction it. However, I may bring one or two points to the notice of the House. I think, as far as possible, Government should altogether stop the practice of engaging special Counsel. It is not that we legal men from the mofussil are jealous of the fees paid to the men in Bombay, but in my opinion, criminal cases of the kind referred to in the note are very easy for being conducted. In the first place, Government do not prosecute a man without strong evidence. A private prosecution may be vindictive, but Government prosecutions are not vindictive. There is always a departmental enquiry, then the sanction of the superior officer, and then the sanction of the Legal Remembrancer : there are a thousand and one preliminaries to be gone

[Mr. N. B. Chandrachud]

through, before a man is prosecuted. In at least 99 cases out of 100 where a Government officer is prosecuted for corruption, I believe he is convicted; at least during the last 30 years, I have known of no case where a Government officer was prosecuted for corruption and was acquitted. I have known of no such case at all.

The second objection is that this looks more or less like patronage to engage special counsel; that is at least the impression which the outside world has, that it looks more or less like patronage. The impression is that a counsel is engaged who has sufficient influence in the Secretariat.

Thirdly, in this particular case, I do not think there was any necessity to engage prominent counsel from Bombay. My impressions are that the Surat as well as the Ahmedabad Bar are exceptionally strong, and this was not a very complicated case where complicated questions of law or fact had to be adduced. I was watching the case in the newspapers; it was absolutely a simple case; only witnesses had to be examined. It was a matter of oral evidence, and there was no point of law or question of fact involved. I believe there was hardly any necessity for getting a special counsel from Bombay. In my younger days of practice, I knew of no instances where counsels were brought from Bombay for conducting any cases. In the year 1880, there were a number of dacoities in the Poona district, and all those cases were conducted by the then public prosecutor for Poona. You know what fees were paid? The fees paid were Rs. 10 a day, and he conducted about 40 to 50 cases, and the huge reward that the Government gave him was a turban and a shawl. Government have now got men as public prosecutors in every district. If there are public prosecutors for every district, why should it be necessary to import counsel from Bombay to do the work. This practice has grown of late, and I am glad to have the assurance that Mr. Balak Ram who has taken charge as the Legal Remembrancer is now discouraging the practice. As I have already said, carrying on a discussion on this demand is like flogging a dead horse. However, if Government give an undertaking that in future they will stop this practice, the House can grant the demand. This practice should be discontinued, especially when the mofussil Bar is day by day growing stronger. With these words, I resume my seat.

Mr. F. J. GINWALLA : Sir, what does the Honourable the Finance Member mean by saying :—

“There is a tendency among honourable members to be extraordinarily conservative and hard fisted at the time of the budget and during the rest of the year in supporting resolutions to be equally liberal and lavish.”

Mr. B. G. PAHALAJANI (Western Sind) : Sir, I am not going to oppose the grant; but I will only place the facts before the House and request honourable members not to oppose the grant but give a warning to the Legal Department. I know that Mr. Balak Ram is considering the question.

There were two bribery cases tried at Sukkur. The public prosecutor of that place is a man of 30 years' standing, of as long a standing as I am.

[Mr. B. G. Pahalajani]

He drafted the complaint, filed it and conducted the whole case except the examination of Mr. Vyas, the sub-divisional magistrate. After all this special counsel was appointed, Mr. Elphinstone, and was brought down specially from Karachi. His fee was fixed at Rs. 500 a day including the night taken in travelling which works out to nearly Rs. 1,500 a day if the court sat for a day and Rs. 2,000 for two days working. Hearings were not protracted. There were I believe 6 or 7 hearings in each case but the fee that was fixed came to nearly Rs. 1,000 or Rs. 1,500 a day. This information I request the Remembrancer of Legal Affairs to take note of. I have nothing to say against Mr. Elphinstone who is an able counsel, but I am concerned only with the fact whether it is necessary to bring him all the way from Karachi while there is the local public prosecutor who has conducted not only these small bribery cases but who has conducted very complex murder cases and dacoity cases. I do not know the reason why he was superseded and this expenditure was inflicted on the state revenue. These are the facts which I wish to place before the House.

Rao Bahadur R. R. KALE (Satara District) : Sir, I want to correct one misapprehension about the means of securing the services of able men as public prosecutors and Government pleaders. In the appointment of such officers they should choose the best men in the district, and because Government do not do this, they have to requisition the services of men from Bombay. If in future care is taken to select the best men irrespective of the recommendations of favourites, the occasion for expenditure on special counsel will be reduced.

The Honourable Mr. J. E. B. HOTSON : Sir, there is an old story that when somebody was objecting very strongly to capital punishment and saying that it was not right to kill anybody, it was suggested that the murderers should be the first to stop committing murders. If the accused believed, in any big case, that the members of the local bar were entirely capable of dealing with his case in the best possible way, why should they go to Bombay or elsewhere to get their pleaders? When they think it necessary to get somebody from outside the district, it is only reasonable that in such cases Government should have the power to do the same. I would like to inform this honourable House that very often the proposal to engage special counsel comes from the public prosecutor himself.

In the old days to which the honourable member from Poona has alluded, did accused persons bring counsel from Bombay? (Mr. N. B. Chandrachud : They did). Not very often. I can only say that we cannot give an undertaking to stop this practice. There are many cases in which it is essential to get special counsel, but we do give the undertaking—Mr. Balak Ram will note it—that we are going to save money under this head whenever we possibly can in future.

Question put and carried.

Repair grants of the Superintending Engineer, Central Circle, and the Electrical Engineer to Government in connection with the three Government Houses.

The Honourable Sir CHUNILAL MEHTA : Sir, I beg to move that a sum of Rs. 1,48,000 be transferred from 41, (Civil Works (Transferred), to 41, Civil Works (Reserved). The circumstances under which this grant is asked for are explained in detail in the note.*

Mr. N. A. BECHAR (Karachi City) : I want an information, Sir, from the Honourable the Finance Member. It is stated in the note :

"In March 1926 the Legislative Council sanctioned a supplementary grant of Rs. 10,000 for the work of protecting the foreshore of Government House grounds, Malabar Point, Bombay, estimated to cost Rs. 1,60,454."

I want to know whether the Council sanctioned a supplementary grant of Rs. 10,000 as a token of their approval of the Scheme involving expenditure to the extent of the total estimate of Rs. 1,60,454 ?

The Honourable Sir CHUNILAL MEHTA : Sir, the Council was aware of the full scheme. The whole question was discussed in the Finance Committee. The honourable member will find it from the proceedings of the Finance Committee and the Committee's report was before the House. It will also be seen from the wording of this resolution that the whole scheme was estimated to cost 1 lakh odd. It could not be put into the budget because the sanction of the Secretary of State was received only very late.

Mr. R. S. ASAVLE (Bombay City, North) : Sir, I want an explanation from the Honourable the Finance Member why this scheme was launched for the first time as if for so many years the foreshore was not protected. Why this scheme came only last year and sanction was asked for ? For the last so many years the Government House is there. Only last year that scheme costing such a large amount was launched.

The Honourable Sir CHUNILAL MEHTA : Certain amount is always allotted for repairs to the Government House. This scheme was launched only last year because the sea decided to attack that portion of the Government House only last year. There is erosion by sea as honourable members are well aware at various places on the coast.

Question put and carried.

Change in the classification of accounts in respect of the provision for commuted value of pensions.

The Honourable Sir CHUNILAL MEHTA : Mr. President, I beg to ask that a provision of Rs. 3,83,000 be made under the new head 60-B, Payment of commuted value of pensions.

Question put and carried.

Resumption of plots for the development of the Artillery Maidan, Karachi.

The Honourable Mr. J. L. RIEU : Mr. President, I beg to move for an additional grant of Rs. 60,878 be made to "56-A, (Capital Outlay on Improvements on Public Health (Reserved)," the provision under "56-A, Capital Outlay on Improvements on Public Health (Transferred)" being reduced by that amount. The circumstances which necessitated this change are explained in the note.*

Question proposed.

Mr. K. S. FIRODEA : On a point of information, Sir. What is this Artillery Maidan required for ? Is it for civil or military purposes ?

The Honourable Mr. J. L. RIEU : It is required for civil purposes ; it has been purchased from the military who have surrendered it.

Question put and carried.

(Grant-in-aid to the Karachi District Local Board for the restoration of communications damaged by floods.

The Honourable Dewan Bahadur HARILAL D. DESAI : Sir, on behalf of Honourable Sir Ghulam Hussain, I beg to ask for a supplementary grant of Rs. 30,000 to be re-appropriated from 47, Miscellaneous (Reserved) to 47, Miscellaneous (Transferred). There were heavy floods in the Karachi District and much damage was done to roads and bridges, and in order to help the district local board a grant had to be given of Rs. 30,000 and it is with reference to that that this supplementary grant is asked for.

Question put and carried.

Construction of the Visapur Tank Project.

The Honourable Mr. COWASJI JEHangIR : Sir, I beg to move for transfer of a sum of Rs. 1,00,000 from the head 43-B, Transfers to Famine Insurance Fund (non-voted) to the head XIII, Irrigation (Reserved). The facts of the case are stated in the note* circulated. The money is required to expedite the work on the Visapur Tank which is in the Ahmednagar District. If any more information is required I shall be glad to give it.

Question put and carried.

Grant-in-aid to the Poona City Municipality for Poona Drainage Improvement Scheme.

The Honourable Dewan Bahadur HARILAL D. DESAI : Sir, I ask for a supplementary grant of Rs. 2,90,000 to be re-appropriated from 47, Miscellaneous (Transferred) to 33, Public Health (Transferred).

Honourable members are aware that Government had sanctioned a scheme for improvement of drainage in Poona. In the current year a sum of Rs. 6,60,000 was provided in the budget as it was considered that that amount would suffice to meet the expenditure during the year. But the Sanitary Engineer seems to have speeded up the work, and by the end of July he found that unless a further grant was given his establishment would have no work. In these circumstances, Rs. 2,90,000 was provided in anticipation of the sanction of the Legislative Council. In these circumstances, I ask for the grant.

Question proposed.

Mr. L. M. DESHPANDE : On a point of information, Sir. In the note headed "Reserved 9," it is stated "Sufficient savings are available in the provision for the Poona Drainage Improvement Scheme and Poona Cantonment Water Works under 56-A, Capital Outlay on Improvements on Public Health (Transferred)." Those savings are to be taken for the resumption of certain plots in the Artillery Maidan. Now, a grant of Rs. 2,90,000 is asked for the Poona Drainage Scheme. I want to know how these two can be reconciled.

The Honourable the PRESIDENT: The honourable member has asked how the Honourable Minister would reconcile the two statements.

The Honourable Sir CHUNILAL MEHTA: We want to know what exactly the question is.

Mr. L. M. DESHPANDE: It has been stated in the note headed "Reserved 9" that sufficient savings are available from the provision for Poona Drainage Improvement scheme to be taken for meeting the cost of the resumption of certain plots in the Artillery Maidan. Now, a demand for Rs. 2,90,000 is made for the very work from which savings are said to be available. If savings are available under that head, I fail to understand why an additional grant is required for that head.

The Honourable Dewan Bahadur HARILAL D. DESAI: I think the question of a supplementary grant under No. 9 (Reserved) came up sometime before the one now under consideration; it must have come long before August last.

Mr. G. WILES: I think the explanation is that there are two schemes going on; one of them is being paid for by Government, and the other is being paid for by the municipality, for which they receive a grant-in-aid. This scheme which is now before the House is the one in which we give a grant-in-aid to the municipality. It was not anticipated that the municipality would proceed so far with their share of the work in the current year; so we did not make budget provision in the current year. We are now proposing to give them that amount from the reserve for unforeseen expenditure.

Mr. L. M. DESHPANDE: Am I to understand, Sir, that the Poona Drainage and Water Works Improvement Scheme, from which savings are available, is another carried on by Government and not the one by the municipality?

Mr. G. WILES: I cannot give an explanation on this point straight off.

The Honourable the PRESIDENT: The honourable member, Mr. Deshpande, is told by the Finance Secretary that he cannot give a reply to his question straight off just now. I, therefore, put the question before this House.

Question put and carried.

Expenditure on Famine Relief.

The Honourable Mr. J. L. RIEU: Sir, I beg to move for the transfer of Rs. 1,15,400 from "43—B, Transfers to Famine Insurance Fund" to "43—A, Famine Relief." This sum is made up of three separate items. One is of Rs. 60,000 for the storage of kadbi in the Bijapur district, regarding which I had occasion to make certain remarks before this House two or three days ago. The second item of Rs. 50,000 is compensation for cancelling the contract which was entered into some five years ago for the storage of grass in West Khandesh; and the final item of 5,400 is for

[Mr. J. L. Rieu]

the continuance of certain measures for the relief of distress in the Thar Parkar District.

Question put and carried.

Construction of a Mhowra godown and provision of increased storage accommodation at the Nasik Distillery.

The Honourable Mr. G. B. PRADHAN : Sir, on behalf of the Honourable Sir Ghulam Husain Hidayatullah, I beg to move that Rs. 1,56,975 be transferred from "6—Excise" to "41—Civil Works-Provincial." This is only a debit and credit entry and only a transfer is to be made.

Mr. L. M. DESHPANDE : On a point of information. A sum is to be transferred from one head to another. The above is a building grant and it has to be transferred from 6—Excise to 41—Civil Works. I do not know why it is so transferred, because it is practically required for the Excise. Is it because the item of Excise has increased and the House criticised the increase? Otherwise we have got many other heads from which such transfer could have been made.

The Honourable Mr. G. B. PRADHAN : I can only say that the works are to be executed by the P. W. D., so the amount is to be transferred from one department to another.

Question put and carried.

Acquisition of property for use as liquor warehouse at Ratnagiri.

The Honourable Mr. G. B. PRADHAN : Sir, on behalf of the Honourable Sir Ghulam Husain Hidayatullah I beg to propose that Rs. 10,580 be sanctioned for acquiring a house at Ratnagiri. The note explains that the landlady refuses to carry any repairs to the present building and there is a danger to live in that building. There is another building available but the landlord of that building is not willing to give it to us. So, it is proposed to acquire the property under the Land Acquisition Act. "I therefore move that Rs. 10,580 be transferred from 6—Excise—District Executive Establishment—Pay of Establishment to "41, Civil Works—Transferred."

Question put and carried.

Improvement of water supply in the Bhal tract, Ahmedabad District.

The Honourable Mr. J. L. RIEU : I beg to move for the transfer of a sum of Rs. 20,000 from "13—B Transfers to Famine Insurance Fund" to "13—A Famine Relief." As indicated in the note, this amount is required for the development of water supply facilities in the Bhal tract, regarding which I had an occasion to speak a few days ago. At that time I informed the House that we proposed to spend Rs. 10,000 on this object but since then I have received a representation from the honourable member from Ahmedabad, Mr. Amritlal Sheth, to the effect that this sum should be increased by a further Rs. 10,000 as the larger sum can usefully be spent before the expiry of the current financial year. I may state that the work is being carried out by the taluka local board acting as the agents of the District Local Board. After consultation with the Commissioner, Northern

[Mr. J. L. Rieu]

Division, we have decided that it is desirable to provide this increased amount.

Question put and carried.

Additional provision of Rs. 6,000, to meet the expenditure on account of travelling allowance of Honourable Ministers.

The Honourable Sir CHUNILAL MEHTA : Sir, I beg to move that an additional provision of Rs. 6,000 be made under (General Administration 22—Transferred for reasons given in the note.*

Mr. F. J. GINWALLA (Bombay City, North) : Sir, I rise to oppose this motion. Last time the amount under this head was put down as Rs. 10,000 and it was sanctioned by the House. But I am surprised to find that although there is a cry for retrenchment, Government have come to this House to ask for further Rs. 6,000. I, therefore, ask the Honourable the Finance Member, the Honourable the General Member, the Honourable the Revenue Member and other members to reduce their travelling expenses, if they at all mean business. And I ask this House that if it at all means business, it will throw out this motion.

Mr. P. J. MURZBAN : On a point of information. May I know why Rs. 40,000 more have been spent after travelling ?

The Honourable Sir CHUNILAL MEHTA : It is due to more travelling.

Mr. P. J. MURZBAN : Why was this nearly double the travelling necessary ?

Mr. V. N. JOG : Can the Honourable the Finance Member give us the expenses required by each Honourable Minister ?

The Honourable Sir CHUNILAL MEHTA : I have not got that detailed information before me. I thought that the honourable members of this House always desire that Honourable Ministers should keep in touch with the requirements of various districts. I think—at least in my case I find it so—that these tours are by no means a pleasure. I think the work involved in these visits on every Member or Minister is certainly very heavy. But Government desire—according to the wishes of this House I believe—that there should be as much contact between the Ministers and their constituency in the presidency as possible. If such honourable members as my friend, Mr. Ginwalla, who lives in Bombay, will bring forward a resolution against this travelling and persuade this House to support it, I daresay the Ministers will not mind working in their offices.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Sir, we are here in this House for the last three years, and during the first two years we find that the amount provided for this purpose was quite sufficient. But it is really surprising to find that this item has gone up during the third and the last year.

I fear that we have had more travelling by Ministers last year because of their own elections. Therefore, the House must make sure whether

[Mr. J. C. Swaminarayan]

this additional travelling was not made on account of the Ministers' electioneering campaigns. Last year I did ask a question suggesting that this excessive travelling of the Ministers was in a way necessitated by their elections. Therefore, I think the House will be well advised not to give this extra money because most probably additional travelling was done for electioneering purposes. Therefore, let us be convinced by statements of facts and figures that this travelling was not done for the purpose of the Ministers' electioneering campaign.

Mr. A. D. SHETH : May I know, Sir, what was the extent of travelling in the months of July, August and September ?

The Honourable the PRESIDENT : This is not question time. I think the honourable member may ask that question as a regular and independent question in the proper way.

The Honourable Sir CHUNILAL MEHTA : I am really afraid, Sir, that I cannot give all these details. I must admit that there was a considerable amount of more travelling last year, and I think, Sir, if the honourable House wishes to get a more detailed account they must ask the Honourable Ministers themselves.

Question put and carried.

Regularization of capital expenditure incurred at distilleries under departmental management.

The Honourable Mr. G. B. PRADHAN : Mr. President, I ask for a grant of Rs. 1,17,931 for the Excise.

Now, this is really not a grant that is required for new expenditure. It is merely a paper entry. The day before yesterday I explained to the House the position about these accounts, making clear how this is merely a paper entry. As soon as the amount is debited to the expenditure, there will be a credit to the gross revenue again.

Question put and carried.

BILL No. XIX of 1926 (A BILL FURTHER TO AMEND THE ADEN CIVIL AND CRIMINAL JUSTICE ACT, 1864).

The Honourable the PRESIDENT : Government Bills.

The Honourable Mr. J. E. B. HOTSON : Mr. President, I beg to introduce the Aden Civil and Criminal Justice Act Amendment Bill* and move that it be read a first time.

First Reading.

This is a bill which has been drafted at the urgent request of successive Residents at Aden who have found that the growing importance of Aden and the increasing complexity of the commercial cases which arise there, render it undesirable that the administration of justice in Aden should any longer continue to be entrusted to military and political officers without any regular judicial training. The High Court is entirely in agreement with this view and has pressed it strongly upon Government on several occasions. The whole commercial community of Aden is also strongly

r. J. E. B. Hotson]

your of this bill. I hope therefore that this House will accept the bill and will agree to pass it through all its stages at this session. The bill is indeed an urgent matter. Its preparation was begun several months ago, but it has been from time to time delayed, in the first place by considerations which arose as to the future system of administration in Aden, and in the second place by a doubt whether this legislation should more appropriately be undertaken in this Council or in the Legislative Assembly. Each month the need for the improvement of the judicial arrangements at Aden has increased, and I think the House is aware that, if the bill cannot be passed at this session, another delay of at least five months will occur before it can be passed at the next session of this House. That is everybody in Aden is most anxious to avoid, if possible. The statement of objects and reasons explains the bill so fully and so clearly that with all the business which now awaits this House for disposal, I do not think honourable members will desire that I should go into the details of the clauses at any length.

The central clause of the bill is the creation of the appointment of a Judicial Assistant, who will not be in addition to the number of Assistant Magistrates that are employed at Aden, but will take the place of one of them. The relief which the appointment will give to the officers there is considered to be so great as to allow of a redistribution of work, by which the number of Assistants employed on the political and administrative part of the duties of Aden will be reduced by one. The Judicial Assistant, under clause 5 of the bill, will be able to perform practically all the judicial duties which now are imposed by the existing law on the Resident, both on the civil and on the criminal side, and these duties are actually performed by the Resident himself or by one or other of his assistants. The Judicial Assistant will be *de facto* the District and Sessions Judge of Aden and, under an amendment which stands in my name, he will be empowered to hear all appeals from second and third class magistrates, a duty which is ordinarily performed in British India by the District Magistrate, but which, it is thought, can be more appropriately done in Aden by the trained judicial officer whom it is intended to post there.

The officer who will be posted there will be one who has had experience as District and Sessions Judge in British India. He will not necessarily be a *pukka* judge, but he will be one who has already had sufficient experience to have proved that he is in possession of the necessary qualifications to make a good judge. The reason why my statement is somewhat qualified on this point is that we do not yet know how much work this Judicial Assistant will have to perform. We consider, on the data available, from the number of cases that have been tried at Aden in recent years, that the Judicial Assistant will have a full day's work, not necessarily such a heavy day's work as to require the services of a senior judge. Whatever arrangements may now be made on this point will be subject to revision in the light of future experience.

Another important point in the bill is clause 4, which will give the right to the parties in all proceedings at Aden to be represented by trained

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lawyers. Up to the present, the parties have not had this right, except with special permission. There is some considerable difference of opinion on this point. Some of the honourable members in the House to-day have told me that they think the old custom should continue with little modification, but the general view is that the time has come for a revision of this antiquated rule, and this bill brings about such a revision.

Clause 9 of the bill empowers the creation of special magistrates and bench magistrates. Such appointments have been made in the past in good faith, in the belief that they were legal, but since then some doubts have been expressed as to their strict legality. It is thought necessary to remove this doubt, and to take power in Aden as in British India to make use of the services of non-officials who are willing to devote some of their time to the service of their country. I believe that an amendment is likely to be moved on this point, and I shall reserve further remarks on it until the proper time.

The question of appeals to the High Court from Aden has been the subject of very careful consideration. I do not claim that the provisions made in this bill are final; they may be amended if experience shows that it is desirable to do so. For the present, it is thought that the expense of sea which divides Aden from Bombay and the consequent great cost of a regular system of appeals from Aden to the High Court of Bombay make it preferable that the right of appeal should be limited. The High Court are generally in accord with the Government of Bombay on this point. I hope the House will take the view that the bill now before them strikes the happy mean between too great laxity and too rigorous restriction.

There is nothing sensational about this bill. We have thought it best to advance very carefully, to make only such changes in the existing system as seem to be really necessary. These changes are already sufficient to impose a great strain upon the tact, the sympathy and the energy of the first officer who will be posted to Aden as Judicial Assistant, and will have to shoulder the task of getting an entirely new system of machinery into running order. If defects are found, we shall be ready to cure them, and we hope we shall have this House with us in doing so. We believe, however, that this bill, as it stands, will be welcomed by the whole of Aden, and that the new arrangements which it proposes to introduce will be received by them with gratitude.

I think it is likely to be proposed that this bill should be referred to a select committee. Now, it is entirely within the competence of the House to do so, and no doubt arguments will be advanced in favour of that course. I would only point out that as Aden is not a regulation district, legislation for Aden is a Central subject, in which no amendment of importance is possible except with the consent of the Central Government. So, if any large amendments are introduced at this stage, that will mean that the bill may be delayed and may not be brought into force until some later date. I would, therefore, urge upon the House that

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it is most desirable to give the experiment in the form in which we have drafted the bill a fair trial, with the full assurance that any defects which we find will be cured as soon as we can arrange to do so.

The Honourable the PRESIDENT: The bill is duly introduced and proposed to be read for the first time.

Rao Bahadur R. R. KALE (Satara District): Sir, while welcoming the principle underlying the bill which has been placed before this House by the Honourable the Home Member, I must say that the principle which is enunciated in the statement of objects and reasons does not go far enough to carry out the aims which have been enunciated in that statement. I also wish to say—and the Honourable the Home Member anticipated it—that such an important measure as this ought not to be rushed through the Council, in all its three stages at this sitting. I submit that it will have to be committed to a select committee for making the necessary changes, although there may be need in some cases to approach the Government of India for those changes. We have been told that the matter is very urgent. But, Sir, the old Act, which dates back to the year 1864, has been in existence for so many years, and the delay of a few months would not and ought not to matter in the least.

I wish to point out that certain features of the bill require careful consideration. It has been stated by the Honourable the Home Member that the object is to have an officer with judicial experience to try civil and criminal cases. It is laudable, but the section as it stands—clause 5 of the bill—which says that after section 13 a new section shall be inserted, namely that the Governor of Bombay in Council may appoint an assistant judicial resident to the judicial resident at Aden requires alteration. If as the Honourable the Home Member has stated that it is necessary to have a lawyer of some judicial experience to be appointed, is it not necessary to state it in the section itself. In the old Act as it stands the power to appoint an assistant resident is given to the Governor of Bombay. Reference is made to section 22 (a) of the old Act of 1864 which says:

“The Governor of Bombay in Council may appoint an assistant resident to be an additional sessions judge.”

There is provision for appointing a resident and making him an additional judge. It has been stated that in order to remedy the present evil that exists, namely, the assistant resident does not possess judicial experience, this bill has been brought forward. If that is so, I think it is necessary to insert some provision in the section itself by which the object in view may be achieved.

With regard to the question of appeals, the Honourable the Home Member has stated that under the law as it stands no appeals are allowed to the High Court but that there is a provision by which reference can be made to the High Court. When the parties place their case before the

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judicial assistant or resident, if he feels any doubt with regard to either law or fact, he makes a reference to the High Court. In making that reference it may happen that he is not able to state the case as fully as he ought to. The High Court on mere reference gives its opinion and sends it down to the resident or assistant resident, and then that gentleman proceeds to dispose of the case in accordance with that opinion. I ask honourable members whether in these days this practice can be allowed to continue as before. It has been stated that Aden has got a large commercial population, and that they desire to have their cases tried then and there by a competent legal gentleman. In that case the right of appeal also should be given to parties, especially when there is a provision that parties who were not so far allowed to be represented by pleaders, are given that right. If they have got the right to engage legal assistance of competent lawyers and if a decision is given which the lawyer thinks deserves to be appealed against, he must be enabled to send the case to the High Court. The Honourable the Home Member says that having regard to the distance between the two places it is inconvenient for the parties. I submit it is not necessary for the parties to come down to Bombay for the purpose of lodging an appeal. If the parties are in a position to engage a counsel here and send down the case through their pleaders there, I submit that there will be no inconvenience to the parties and that there should be a provision for appeals against the decision of the judicial assistant or resident that may be appointed there in Aden.

With regard to the question of bench magistrates I must say that on the principle of this bill the appointment of a bench magistrate in an area like Aden is objectionable. It seems to me that—I have been told also—it is very difficult to find competent men to act as bench magistrates or special magistrates. Even in this part of British India there are very few persons available in whom people repose confidence, and who are competent to try cases. I therefore submit that this provision and the subsequent provision relating to the appointment of such magistrates ought not to find a place in this legislation at all. Therefore I submit that the bill requires consideration in these aspects. While welcoming the principle of the bill, the provisions contained in sections 11, 12 and 13 and those relating to references, require revision in order to carry the principle of this bill to its logical conclusion. For these reasons I submit that the Honourable the Home Member will see his way when he passes on to second stage after the first reading to get them revised by the appointment of a select committee in order to look into the provisions carefully, and to carry the principle of this bill to its logical conclusion.

Mr. A. D. SHETH (Ahmedabad District): Sir, I do not stand in any spirit of opposition or obstruction, the word so heartily hated by honourable members on the opposite side. I rather welcome this attempt, small as it is, for giving some reforms to the people of Aden. My purpose is to say that a thing that is being given ought to be advanced a great deal in a way I would suggest in my remarks hereafter,

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The statement of objects and reasons says in the last part that there are certain references which are very antiquated and deserve to be modernised. I submit, Sir, that the whole Act is antiquated and deserves to be modernised. As a matter of fact, both in point of time and in point of its matter, it is an antiquated measure. In reading the Act, one is reminded of the very primitive stage in which Aden is, and of the very antiquated method of law and order there. To be brief, the Act of 1864 says that all powers, both civil and criminal, are to be vested in one executive officer who is the Political Resident there. The Honourable the Home Member says that in criminal matters there is a provision for reference to the High Court, but section 29 of that Act very clearly says that in criminal matters the matter of reference rests solely in the discretion of the Political Resident; the parties cannot claim to have their cases referred to the High Court. The Resident may or may not require a case to be referred to the High Court. So far as criminal cases are concerned, therefore, the Resident has the sole power. That is to say, in criminal matters, the Resident is the master of all he surveys. In matters civil, when suits are below the value of Rs. 1,000 it rests within the discretion of the Resident either to allow or not to allow a reference; there is complete power in the hands of the Resident. It is only with regard to suits above the value of Rs. 1,000 that a reference can be claimed by the parties to the High Court. Therefore, in criminal cases and in civil cases where the suit is below the value of Rs. 1,000, the Resident has complete powers. The new bill does not take away the powers from the Resident; the Resident as executive officer is still clothed with the same powers and authority which he has enjoyed till now on the judicial side.

I do not understand why, when we are going in for a new judicial officer, a full time judicial officer, to do judicial work, why should we call him "Judicial Assistant of the Resident." When we are taking a judicial officer, why make him a subordinate of the executive authority? We have been pressing for the separation of the judicial from the executive from days long back, and Government have always accepted the principle of separation, but they have only said that they cannot spare the money required for that separation. But here we have not to spend any new money; the money is being provided; we are taking a judicial officer; therefore, there is no excuse to make the judicial officer a subordinate of the executive authority. Therefore, I say that the idea of making a judicial officer a judicial assistant of the executive officer is wrong and should be abandoned.

Then, section 6 lays down that there is no appeal, and section 7 lays down that there is no revision. Therefore, there is neither an appeal nor a revision that can be claimed by the parties. It may be that in practice the High Court do exercise their revisionary powers, but there is no wrong in providing that appeals and revisions should be allowed. The Honourable the Home Member said that it would become very expensive if the parties were to go in appeal. Let the parties take care of themselves. By making a provision in the bill for appeals we do not compel any one

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to go in appeal. If his pocket cannot meet the expenses he need not go in appeal; it is his own business and he can act as suits his convenience.

While, therefore, I welcome this new measure, it ought to be recognised when we put in force this new scheme, that the principle of separation of executive and judicial functions ought to be followed, especially when it will not add to our cost. Therefore, the new officer should not be the Judicial Assistant of the Resident, but a District and Sessions Judge directly responsible to the High Court and subordinate only to the Judicial Department. Then, section 29 should be so amended that appeals and references will be allowed to the parties; the parties should be given the same rights in criminal as in civil cases; and the limit of Rs. 1,000 should be removed in civil cases. These things can only be done if the bill is sent to the select committee: without sending it to the select committee no such amendments can be brought.

One point more, and I have done. The honourable member Mr. Hotson said that this is a matter for the Government of India, and we have to refer to them. That is quite correct. But I would point out to him, that the Kathiawar Agency is also a non-regulated area under the Central Government. In that Agency there used to be a Judicial Assistant to the Political Agent; but under the new scheme the Government of India have done away with the post of Judicial Assistant, and they have separated the judicial and executive functions there. Now, as we are taking into consideration the appointment of a judicial officer, we should have an independent judicial officer.

In these circumstances, I would not oppose the first reading of the bill, but I would request the honourable member in charge not to oppose a motion to take it to the select committee. We do not want the bill at once; Government may take their own time. But this antiquated Act should be modernised in all its sections, and particularly in matters of reference.

Mr. HOOSEINBHOY ABDULLABHOY LALLJEE (Bombay City): Sir, I rise to support the first reading of the bill. I am thankful to Government for bringing in this bill. I must say, however, that I would have been more grateful to them if they had brought it long ago. It has been accepted that Aden needs this reform very badly. I am sorry to say that this House has up to this time given very little consideration to Aden. Although the people of this presidency have done a great deal to develop Aden, because, a good deal of trade of this city and presidency depends on the development of Aden, still we have often seen that very little care is bestowed on it. I am glad, however that honourable members have realised its importance when this Act is being discussed. I do assure them that I am in full sympathy with their views as regards the various provisions which they have urged as necessary. But what is the present urgent need of Aden? They are at present without any high judicial officer. They are not very eager to come to the High Court, but they want that there should be some high judicial officer, and they want

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that such justice be given to them as early as possible. If we refer this bill to the select committee, I am sure that it will take another six months to get the bill passed. Therefore, I do hope that honourable member will not press the Government to take the bill to the select committee. If they wish to press any amendments, they have got the remedy of bringing in an amending bill at the next session in July.

Sir, so far as the merchant class of Aden is concerned, I may assure you that we very much dislike to go to the High Court when the question is of only Rs. 1,000 or under, because in that case we have first to approach the Resident and then we get a right to appeal to the High Court, which involves some money and much time. In Bombay also we find that a case for less than Rs. 1,000 is tried in the Small Causes Court, and we have no right of appeal to the High Court but we can only make a reference to the High Court.

With regard to the criminal cases, so far as I am aware, a reference is made to the High Court by the Resident, and even if he does not do it, a direct reference can be made to the High Court and they call upon the Resident to produce the papers in that connection. As regards the question of allowing pleaders to practice in Aden is concerned, I believe they help at times the administration of justice, still I am sorry to say that it is also a fact that they encourage litigation, and in a place like Aden where people are poor it is not advisable that the merchants who have very little time or the people of Aden should be dragged into litigation by lawyers for a few hundreds of rupees. I would therefore like that if these gentlemen are required they should only be restricted to the High Judiciary Court, and it must be made clear that as far as small cases are concerned there is no necessity for this provision. Where there are serious criminal cases, I entirely agree that these gentlemen should be allowed to plead.

I am in full sympathy with this bill, but if any member who is not in complete agreement with all the provisions of this bill, and if he wants to bring an amendment by which the Political Resident is bound to refer all criminal cases to the High Court, I am agreeable. But at the present moment, I think our need is that we must have as soon as possible a high a judicial officer in Aden. We have no high judicial officer there, and many people say that at times they suffer from injustice.

Now, I come to the appointment of bench magistrates. I may say frankly that I am not in favour of such magistrates, because of the fact that some persons appointed in this city to this post, do not hold the confidence of the people, and also because, I believe, no special care is taken in the selection of these magistrates. So far as Aden is concerned, I am glad to say that Government did appoint two or three persons as bench magistrates, who have done their duty satisfactorily. We have got there men like Sir Hormusji Cowasji Dinshaw who if appointed as a bench magistrate, will give full satisfaction and there are also there a few well known merchants and citizens. I, therefore, do not object to Government appointing a few selected men, but if they would do the same

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thing as they are doing in Bombay of appointing any person as J. P.'s and then appointing them as honorary magistrates without any legal knowledge, then I would tell Government that we shall be prepared to pay for the magistrates rather than have honorary magistrates of this type. I would ask this House to allow this bill to go through, as there is an urgent need for the high judicial officer, and if we allow this bill to go to a select committee there will be a further delay. Because it will then take further one or two years or perhaps four years more. People are in need of a high judicial officer, and if you do not support this bill, I think you will be allowing disadvantages to their life. By passing of this bill we shall get a high judicial officer, and if that officer finds anything is wanting in any respect, then Government will be called upon to do right or state the reasons. I am sure the Political Resident will not ever interfere in his work and certainly when Government have got an officer who enjoys the confidence of Government, the Political Resident, whose duty is to attend to political and military affairs, will not interfere. I, therefore, appeal to this House once more to pass this bill as soon as they can, if they really mean to do some service to the people of Aden.

MOULVI RAFIUDDIN AHMAD (Central Division): Sir, a good deal of confusion of thought with regard to this bill arises from the anomalous position of Aden. As a matter of fact, Sir, even up to 20 years ago it was not quite certain whether Aden was under the jurisdiction of the Foreign Office, or Colonial Office, or the Government of India or Government of Bombay. Only few months ago I read in one of the British newspapers that the British Cabinet themselves were thinking of taking Aden in their possession. In 1849 Aden was taken and for 12 or 14 years after in fact till the Crimean War, Turkey did not recognise the supremacy of Great Britain over Aden. In 1861 an attempt was made to introduce law in the Government of that Port, but it is not a new thing to those who are conversant with the evolution of British Law in the districts under the governance of the Governor-General, such as Kathiawar Agency and Central General Agent. This Agent was very often in the post a military man. He was magistrate, he was the Court of Appeal, and he was the High Court. Now, we all know that military men do not know and do not understand civil law. The only law he knows is a martial law. But in course of time a Civilian was appointed and the Governor-General gradually delegated to him all judiciary powers. So, we find in Aden the Political Resident has been both a civil and military authority. If now there is a great movement that the Political Resident should delegate his powers to a judicial Assistant to be provided to him, I am entirely in agreement with it. I do agree with my honourable friend Mr. Hooseinbhoy Lalljee that at this stage the House should not insist upon having the bill referred to a select committee. This bill may be passed as it is, and I think the Government and the Legal Remembrancer will see to it that in course of time the law would be amended. Again, as the Honourable the Home Member said, the Government of India is very sensitive upon these points and they would not allow great changes in this Bill. If this bill is passed, I am quite sure it will be a great blessing

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to the people of Aden. because I have myself visited Aden twice, and I have followed the gradual evolution of a desert into a civilised country. As a matter of fact, I think this bill is a very great improvement upon the present law and that the House will be well advised in taking the advice of the Honourable the Home Member and the advice of the only member who is well acquainted with Aden not to delay for a single moment the passing of this bill.

Rao Saheb D. R. PATIL (East Khandesh District) : Mr. President, I rise to support the first reading of this bill. I also agree with the last speaker that the bill should pass into law as early as possible. But I am of opinion that the bill should be referred to a select committee, to decide important matters during the current session so that the matter should not be delayed any longer.

One fact strikes me very much, and that is that no power of appeal is allowed under section 19 from any decision or sentence or order of the Resident when exercising the powers of a court of session. The court of session has got power to pass a sentence of death in a murder case. May I enquire from the Honourable the Home Member, what are the powers of sessions court that are to be given to the sessions court in Aden, the same powers as the sessions court enjoys here ?

The Honourable Mr. J. E. B. HOTSON : Yes ; the same powers.

Rao Saheb D. R. PATIL : Then, it appears to me, Sir, as we find here in India also, that the sessions court at Aden has the power of passing a sentence of death in a murder case. In serious cases, where a person is sentenced to death, I think the power of appeal should be given to the accused to go as far as the High Court. The Honourable Member Mr. Husseinbhoj from Bombay said that people in Aden are not very willing to have recourse to litigation in so far as civil cases are concerned. So far so good. But in a murder case it is a question of life and death, and I think in such serious matters it is justifiable to give to an accused the power of appeal to the High Court when capital sentence is passed upon him.

The Honourable Mr. J. E. B. HOTSON : I would refer the honourable member to section 28 of the Act, which reads :

" If, on any trial, sentence of death shall be passed by the Resident, such sentence shall not be carried into execution until it shall have been confirmed by the High Court at Bombay."

Rao Saheb D. R. PATIL : The section says that the sentence of death requires confirmation by the High Court, before the sentence is carried into execution ; I can understand that. But my point is that in a case where a sentence of death is passed the accused should be given free scope to argue out his appeal before the High Court ; simply confirmation of the High Court ought not to be enough. What I contend is that there should be an appeal against the decision in a murder case. The sentence of death is not a matter in which any chances can be taken. No doubt there is that provision that the sentence shall not be carried into execution until it is confirmed by the High Court. Also there is another point,

namely, that section 29 says " No appeal shall lie from an order or sentence passed by the Resident in any criminal case ".....

The Honourable Mr. J. E. B. HOTSON : I would ask the honourable member to read that section with section 30 :

" On such point or points of law being so reserved as in the last preceding section mentioned, or on its being certified by the Advocate General at Bombay that in his judgment there is an error in the decision of a point or points of law decided by the Resident, or that a point of law decided by the said Resident should be further considered, the said High Court shall have full power and authority to review the case or such part of it as may be necessary, and finally determine such point of law, and thereupon to pass such judgment and sentence as to the said High Court shall seem right. "

Rao Saheb D. R. PATIL : The question is why should we depend upon the opinion of the Advocate General ? Where, a capital punishment is passed upon a man ; why should we rely on the opinion of the Advocate General ? I think the fair thing is that the right should be given to the accused to make an appeal to the High Court, where every question will be considered fully. The power of appeal ought to be given in cases where such serious sentence as capital sentence is passed by the sessions court.

Now, the second point to which I refer is about the special magistrates and benches of magistrates. I am entirely in favour of appointing special magistrates and benches of magistrates. But I want to suggest at the same time that before any appointment is made by the authorities concerned, the persons who are to be appointed as bench magistrates should be called by the authorities who, of course, should have full conversation with the men to be appointed and test them to see whether they have commonsense to understand and whether they can really occupy the position which is to be conferred upon them. All these preliminaries should be gone into by the authorities and when the authorities, are satisfied that a man is really the man to be there to act as a magistrate, then and then alone he should be appointed as a magistrate. I have already stated that I am in favour of the institution of bench magistrates, but my only caution is that every possible care of finding out suitable persons should be taken by Government before appointing any persons as magistrates. With these remarks I take my seat.

Mr. S. C. JOSHI : On a point of information. I want to know how long the Resident at Aden has been asking for these reforms in the appointment of a Judicial Assistant ; since when ?

The Honourable Mr. J. E. B. HOTSON : Five years to my certain knowledge, and I think longer.

Mr. F. J. GINWALLA (Bombay City, North) : Mr. President, as regards my position regarding this bill, I like the bill, but I say, Sir, that it requires very careful consideration. Since the Honourable the Home Member has stated that the matter has been hanging on for five years, nothing will be lost by not rushing the bill through now. We can expedite it as far as possible. But the position is this, that, as stated in the objects and reasons, Aden is growing day by day, there is a population of 56,000, and they are going to organise a Bar. Therefore, if you do want to give

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to Aden any measure, it should be a liberal measure ; it should not be an antiquated measure. Therefore, it is no use hurrying and passing a measure which does not satisfy the general aspirations of any province. If we here have a right of appeal in criminal and civil cases, why should we reserve Aden only for reference to High Court ?

Sir, I will draw the attention of the House to several provisions for their careful consideration. The first point is, as has been pointed out by the honourable member for Satara, that the Government of Bombay may appoint any Assistant Resident to be Judicial Assistant to the Resident at Aden. It has been said that they want to appoint a very experienced officer and therefore I should rather say that that provision should be made very clear.

The next point is clause 5, sub-clause (4), which says that no appeal shall lie under section 5 from any decision or order of the Judicial Assistant. The reason why appeal was not allowed and only a right of reference was given was the simple reason that Aden was backward and parties were not allowed to appear by advocates or pleaders. But now you are giving them a Bar, and Barristers and Pleaders will be able to advise their clients whether there is a proper case for appeal or not. It is therefore absolutely necessary, if at all you want to give them a measure of reform, to give them a full measure of reform.

In the same way I direct attention to clause 8. There it is provided that the Governor of Bombay in Council may invest any Assistant Resident with the powers of a District Magistrate or may invest any Assistant Resident or any other person with the powers of a magistrate of the first, second or third class.

The Honourable Mr. J. E. B. HOTSON : In Bombay also.

Mr. F. J. GINWALLA : In Bombay so far as the honorary magistrates are concerned, they are not given those powers of first and second class, but here you want to invest them with powers of awarding imprisonment for two years down to six months. I therefore say that this point also should be carefully considered.

Similarly, that remark applies to new clause 18B, under clause 9.

Then I come to clause 11 of the bill regarding appeals. It says that no appeal shall lie under section 19 from any decision, sentence or order of an Assistant Resident when exercising the powers of a Court of Session. It has been explained that according to this provision you shall have no power of appeal except, as pointed out, in case of a sentence of death, but I say that if you are going to have a liberal measure of reform and since you are going to organise a proper Bar, it is absolutely necessary that you should give the residents of Aden all the rights which we enjoy in India. Therefore, it is absolutely necessary, Sir, that you should give them the right of appeal.

Where is the urgency of passing this bill in such a hurry ? It has been stated that the process of appeals will be costly, but I would remind you, Sir, that in India we have the right of appeal to the Privy Council, and if we show to the people of Aden the same measure of liberalism, they can

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utilise the services of the Bombay Bar by sending the papers down here. That procedure would not be so costly as has been stated by the honourable member.

Another ground put forward was the question of delay. As regards that, there is no force in that argument. Since this measure has been hanging fire for five years, if you wait for a month or two or even three months, nothing is going to be lost.

On all these grounds, Sir, I beg to suggest that the matter should be referred to the select committee for which I have already tabled a motion.

Mr. K. S. FIRODEA (Ahmednagar District): Sir, I do not rise to oppose the first reading of the bill. I welcome the first reading of the bill but I want to say, Sir, that we should not be in a hurry to pass such an important measure like this in a day or two. I have carefully listened to the arguments advanced by my honourable friend Mr. Hooseinbhoy Lalljee who says that the people of Aden are very anxious to have this legislation as early as possible. But I beg to differ and say that this is not a measure which should be hurried through like this.

The main points which we have to consider in dealing with this bill are that a Judicial Assistant has got to be appointed, but the qualifications required for the Judicial Assistant have not been given in this bill. That matter will have to be looked into and suitably provided for.

In the next place, there is a sort of a misapprehension and a misunderstanding in the minds of several honourable members as regards capital punishment. We find that the measure before the House makes no provision for appeal even in the case of capital punishment. In the case of capital punishment the only remedy provided is the right of a reference of the papers to the High Court for confirmation. In British India and in the Bombay presidency, we have the right of appeal in all cases of capital punishment. The real difficulty that underlies a reference of papers to the High Court is that the High Court Judges will be able to read in their own light the papers and there will be no one before them to place the accused's point of view. This is a very important consideration, and I have no doubt the House will agree.....

Mr. BALAK RAM: The honourable member is wrong in saying that if the papers are referred to the High Court, the accused cannot be heard in person or by a pleader. I would refer him to section 11 of the existing Act, which lays down that "the parties to the case may appear and be heard in the High Court in person or by a pleader". It can always be done.

Mr. A. D. SHETH: I believe that section applies to civil cases only.

Mr. BALAK RAM: Section 11 occurs in a place which deals with civil litigation, but there is the ordinary practice in the Bombay High Court whereby all parties are heard by pleaders even in Aden references in criminal cases.

Mr. K. S. FIRODEA: I accept that explanation, Sir. The point that I wish to stress is that in the case of capital punishments it is absolutely necessary to have a right of appeal giving the accused the

[Mr. K. S. Firodea]

right to be heard so as to be able to place the whole point of view before the Judges of the High Court. If that is not done, there is no safety at all for the accused to get justice.

Another difficulty is this that the certificate of the Advocate General is sometimes required and he certifies only in the case of a very important question of law involved in the case. There is a certain amount of difficulty in such cases. Very often it happens that questions of fact have got to be appreciated and if questions of fact are also to be appreciated, then the aid of Counsel is absolutely necessary, and from that point of view also the Judges of the High Court must be approached.

For all these reasons and for the particular reason for which I have also tabled a motion in respect to the provision in this bill for the appointment of honorary and special magistrates, I want to say that this is a measure which I personally do not like. The institution of honorary magistrates is really degrading to the public; whatever may be their qualifications, if we consider the work being done by them in the whole of the presidency, my opinion is that they are not doing any good to the people, on the other hand they are becoming instruments of trouble and torture to the people.

For all these reasons my view is that this is not a measure which should be hurried in the manner it is sought to be done. If the Honourable the Home Member is amenable, he can take it up even in this session and even if it is delayed and postponed to the July session, it does not matter, as this legislation was pending for five years and it does not matter much if it is delayed five months more. The last legislation was passed in 1864 and from that to the present year there has been no legislation. So many long long years have elapsed between the last legislation and this new legislation now being introduced, that my suggestion is that it will not do much harm to the people of Aden to continue with the existing legislation for five months more. Therefore, I request that the Honourable the Home Member should be pleased to place the matter in all its aspects before the select committee and after that the legislation can be passed if so desired.

Mr. H. V. PATASKAR (East Khandesh District): Sir, so far as the first reading of this bill is concerned, I am not opposed to it, but there are certain things with regard to this bill which deserve to be considered carefully before the bill is finally passed into law.

My honourable friend Mr. Hooseinbhoy Laljee is very anxious to have the bill passed into law because the residents of Aden have been clamouring for it. So far as that anxiety is concerned, I think the whole house is in sympathy with him, but in passing a measure of this sort we ought also to be careful to see before it is passed into law that it does not contain any provisions which have already been found to be harmful in the rest of the presidency or that it omits provisions which are absolutely necessary in any system of judicial administration. If, as has been pointed out, a Bar is going to be created at Aden and a better system of judicial administration is going to be introduced, I submit that there ought to be

[Mr. H. V. Pataskar]

provision for appeals, and in the absence of any provision for appeals, the new systems of judicial administration to be introduced will not be effective.

Then there is provision in the bill for the appointment of honorary magistrates and benches of magistrates. So far as the experience of every lawyer in this Council is concerned, these honorary magistrates are no good to the people to whom they administer justice. This is a question which ought to be closely considered by the select committee, before this bill is passed into law.

The Honourable the PRESIDENT : Let the honourable member not repeat arguments which have already been advanced.

Mr. H. V. PATASKAR : I therefore submit that unless these necessary changes are introduced in the bill, it should not be ultimately passed into law.

The Honourable Mr. J. E. B. HOTSON : Sir, several honourable members have said that this bill does not go far enough. I have already, in my opening remarks, said that if, after experience, we find that the bill does not go far enough, we are ready to amend it. Several of the honourable members, including those best acquainted with Aden, have said that the present situation there is very unsatisfactory. Aden wants to have a better judicial system. Now, we are the doctor that is going to prescribe for Aden. If a doctor has a patient who is not very well, he only gives the patient at one time as much medicine as he thinks the patient will be able to assimilate. If we give too much to Aden all at once, it will perhaps cause severe indigestion. So I think it is much better to go slowly.

Now, several other honourable members have asked for a select committee. I would like to point out to this honourable House that the bill was published on the 23rd of December last, that up till this morning no notice of any amendment had been sent in, and that to-day I have received one notice of an amendment. We must assume that all the members of this House have given due consideration to the bill. This fact therefore seems to show that having read the bill, they thought that there was very little for them to object to.

Mr. A. D. SHETH : I sent notice of an amendment the day before yesterday, I believe.

The Honourable Mr. J. E. B. HOTSON : I did not receive that notice. I am not denying that an amendment can be moved without notice ; I am only saying that honourable members, on a consideration of the bill, seem to find very little fault with it. So, I think perhaps the House may be willing to agree to what the honourable member Mr. Hooseinbhoj Lalljee has said, an argument which was so eloquently supported by the honourable member Moulvi Rafiuddin Ahmad, that we had better give to Aden what it wants as quickly as possible, and we may give it something more later on, if necessary.

[Mr. J. E. B. Hotson]

As to the position of the Resident, Aden is in a different position from the rest of British India. Aden is still mainly a military area. It is quite a small tract, surrounded on several sides by the sea and on several sides by country in the hands of potentially hostile tribes. It is essential that the Resident there should be the head of Aden for all purposes. It is necessary that he should have assistants to do judicial work and Port Trust work and other sorts of work. In the peculiar position of Aden, he must be the head of the whole place. Under the bill, the judicial assistant will be, to all intents and purposes, independent of the Resident. At the same time, it is necessary to maintain in all events his subordination to the Resident, although in purely judicial matters it will be little more than nominal.

The honourable member from Satara and another honourable member who followed him suggested that it would be better to put into the bill the statement that the Judicial Assistant must be a trained judicial officer. Now, one objection to that is that, in order to do so, we should have to define a trained judicial officer. It would not at all be easy to get a proper definition for this particular case. Another thing is that at Aden there will only be this one trained judicial officer. If that officer goes on short leave, or if he falls ill, or anything happens to him, there will be no other trained judicial officer there. So, if we make our bill too rigid, if anything happens to that man, the administration of justice in Aden would stop. We, therefore, have to leave a little loophole, so that, if a sudden vacancy of that kind occurs, temporary arrangements can be made by the Resident from the staff at his disposal, until such time as another trained officer can be sent. I can assure the House that since Government have brought in this bill they do not intend to allow any long interval to elapse when an untrained man is holding the post, but it is better that somebody should be there to carry on the work rather than that the work should not be done at all.

As to appeals, I think several of the remarks that have been made have not been founded on any very close study of the existing law. The High Court themselves are not in favour of any wide extension of the right of appeal.

Mr. B. G. PAHALAJANI : Not even when a man is sentenced to transportation ?

The Honourable Mr. J. E. B. HOTSON : Until very recently, they did not want any appeals at all, but they have given us an opinion, which we got only in the last day or two, that some.....

Mr. A. D. SHETH : Are they so much tired ?

The Honourable the PRESIDENT : Order, order.

The Honourable Mr. J. E. B. HOTSON : So, I think it will meet everybody's views, if we leave this bill as it stands. You must remember that it is only in cases of trivial value that it will not be possible to come to the High Court. Who wants to come all the way from Aden to Bombay for a case of Rs. 200 to Rs. 300 ? They will not do it of their own accord. Perhaps there are a few people of such litigious spirit that they may want

[Mr. J. E. B. Hotson]

to do so, or there may be some people who are not wisely advised, and they may want to do so. We do not want to encourage that spirit, and we do not want to give encouragement to such bad advice. On the other hand, it must be remembered that if we allow any large number of appeals to come from Aden, we shall have to increase the strength of the High Court here. That means heavy additional expenditure, which we do not want to face at the present time.

As to bench magistrates, I am quite sure that the Resident at Aden is not at all likely to recommend for appointment as bench magistrate persons whom he does not know. Aden is not such a large place. We cannot limit the number by any definite promise, but we can assure the honourable member that made that request, Mr. Hooseinbhoy Lalljee, that Government will be very careful, and will only appoint those whom they consider, on the advice of the Resident, to be really suitable.

I do not think that there are any other points which it is necessary to bring up, and I hope that the House will not only pass the first reading, but will also consider my further request favourably.

Question "That Bill No. XIX of 1926, a Bill further to amend the Bill read a first Aden Civil and Criminal Justice Act, 1864, be read a time. first time" put and carried.

The Honourable Mr. J. E. B. HOTSON: Sir, I move that the bill be Second Reading. read a second time.

Question proposed.

Mr. A. D. SHETH (Ahmedabad District): I move, Sir,

"That the bill be referred to a select committee consisting of the following members:—

The Honourable the Home Member,
The Remembrancer of Legal Affairs,
Rao Bahadur R. R. Kale,
Mr. B. G. Pahalajani,
Mr. Hooseinbhoy Abdullahoy Lalljee,
Rao Sahab D. R. Patil and myself

to report within the 10th of March with four to form the quorum.

I wish to offer a few remarks. The only point made against this amendment is that if this bill is referred to the select committee, the people of Aden will not have it at an early time. This bill has been on the statute book since 1864, and the people of Aden who have waited for 60 years can afford to wait for six months more. There is no urgency for this measure and therefore it should not be rushed through with the result that the House will be compelled to perpetuate a thing sufficiently antiquated both in time and principle.

Question proposed.

Mr. G. I. PATEL: I rise to a point of order, Sir. Is it not against the past procedure of this House to directly propose the names of the select committee and discuss them without first considering the simple motion of referring the Bill to a Select Committee.

The Honourable the PRESIDENT: I refer the honourable member to Standing Order VIII (5) (b) which says:

"that it be referred to a Select Committee composed of such Members of the Council as he may specify in his motion."

[The President]

Rule 5 (1) is :

" If the first reading of a Bill is passed, the Member in charge may make one of the following motions in regard to the bill."

Rule 5 (2) says:

" Any member may make a motion as aforesaid by way of amendment."

In the present case the honourable member moving the motion has taken care to specify the names of the members of the select committee. Therefore it is in order.

The Honourable Mr. J. E. B. HOTSON : Mr. President, I am afraid that it is necessary to oppose this amendment. Before doing so finally, I will point out to the House that the 10th of March is a day fixed for demands for grants. After that date there is no day for Government business. If honourable members opposite allow this bill to be taken on the day set apart for private business (Honourable Members : No, no.) I should have no objection. If honourable members are not willing to do so, we must oppose this amendment and move that the second reading of this bill be taken up at once. If the desire to appoint the select committee is so strong that the reference to it is passed, I will ask the honourable mover to include the Chief Secretary and the Honourable member Moulvi Rafiuddin as members of the committee. I have nothing further to add.

Mr. A. D. SHETH : I have no objection, Sir. I suggest that Mr. Jairamdas Doulatram also may be included.

The Honourable Mr. J. E. B. HOTSON : Mr. President, I think nine members are sufficient. I have no objection to include the honourable member Mr. Jairamdas Doulatram also, but I consider nine members are sufficient.

The Honourable the PRESIDENT : I suppose the honourable mover agrees to include the names of the Chief Secretary and the honourable member Moulvi Rafiuddin.

The Honourable Sir CHUNILAL MEHTA : Sir, may I say just one word as to the time that can be allotted for the second reading of this bill ? As you know, Sir, we have to finish the demands for grants within a certain date ; after that there are two days for private business ; and immediately after the conclusion of those two days, start the *Holi* holidays—I believe Friday, Saturday and Sunday are the intervening holidays. It has always been the practice of this House to break up just before the *Holi* holidays ; I do not know whether the present honourable members would like to stay in Bombay throughout those holidays and continue to work. It has never been the case before, and I do not suppose that it will suit the convenience of honourable members. (Honourable members. It won't suit). I see that many honourable members do not desire it.

Mr. W. S. MUKADAM : On the 17th, there is a *Holi* holiday, but we have got the Council.

The Honourable Sir CHUNILAL MEHTA : I will have it verified, but so far as I remember, 17th is not a public holiday. So, it is really for

[Sir Chunilal Mehta]

honourable members to decide whether they can afford to spend the three days of the *Holi* holidays here. (Honourable Members : No ; no). I believe they do not agree to it, and it has not been found convenient in the past. As we are very anxious to meet the wishes of honourable members opposite to take the bill to a select committee and to take up the second reading during the present session, if they can suggest any other method by which that can be done, we shall be only too pleased to fall in with their wishes.

Mr. J. C. SWAMINARAYAN : May I make one suggestion ? Next Monday, 28th February, which has been allotted for Government business, may be taken up for private business, and one of those two days (16th and 17th) may be taken up for Government work.

The Honourable Sir CHUNILAL MEHTA : I do not find much enthusiasm for that suggestion. It upsets the arrangement of the business for which the honourable members are prepared. Therefore, it is for honourable members to make some other practical suggestion by which we can take this matter to the select committee and yet take up the second reading before this session is closed.

Mr. A. P. SHETH : Can we not take it during the days allotted for demands for grants ?

The Honourable Sir CHUNILAL MEHTA : We shall be only too pleased if honourable members so desire.

Mr. A. D. SHETH : I withdraw my suggestion.

The Honourable Sir CHUNILAL MEHTA : I thought the honourable member would do so. If honourable members can make any suggestion which we can follow, we shall be glad to fall in with their wishes ; but at the moment I cannot see any solution except that of taking it up on one of the two private days.

The Honourable the PRESIDENT : I think the motion to refer the bill to a select committee is opposed by the Honourable Member in charge of the bill ; if it is referred to the select committee, he has suggested in the alternative that two more names be added to the list proposed by the mover, and the honourable mover has accepted it. Therefore, I will split up the question into two. I will first put the question that the bill be referred to the select committee.

The Honourable Sir CHUNILAL MEHTA : May I say one word, Sir ? You were entirely justified in proposing to put the question, but we were trying to see whether any arrangement can be come to by which the convenience of the whole House could be met. Are there any alternatives which the honourable members can propose ? Here is a diary which confirms what I said. The *Holi* holidays commence on Friday the 18th of March. With every desire to meet the House, I really do think that if the select committee is to meet during the sessions, and if the second reading is to be taken up before the session ends, then we should have the business taken up on a private day.

Mr. B. G. PAHALAJANI: The 2nd of March is a holiday; if the demands for grants could be taken up on that day, we shall save a day, and have the 15th for Government business. If the members of this House work on the 2nd, then it will be very easy to arrange. (Honourable Members: No.)

Mr. S. K. BOLE: Will it be possible for members to meet at 12 noon on the last two days (16th and 17th)? If so, this legislation can be taken up between 12 and 2 on those days.

The Honourable Sir CHUNILAL MEHTA: As regards the 2nd of March, it is obviously impossible, not only because engagements have already been made by many honourable members, but also because there would not be time to publish the report of the select committee. As regards the suggestion to meet from 12 to 2 on the last two days, I do not find very much enthusiasm on my side of the House, as it will mean sitting for seven hours a day.

The Honourable the PRESIDENT: I understand that the negotiations fail. I also understand that the House does not desire to discuss the amendment any further, because sufficient has been said on the point. That being the general sense of the House, I shall put the amendment to vote.

Question put that the bill be referred to a select committee. House divided. Ayes, 41; Noes 38. Amendment carried.

Division No. 3.

Ayes

AMBEDKAR, Dr. B. R.
AMIN, Mr. H. J.
ANGADI, Rao Bahadur S. N.
ASAVLE, Mr. R. S.
BACHAR, Mr. N. A.
BHOSE, Mr. M. G.
CHANDRACHUD, Mr. N. B.
CHIKODI, Mr. P. R.
DESAI, Mr. B. T.
DESAI, Mr. J. B.
DESAI, Rao Saheb D. P.
DESHPANDE, Mr. L. M.
FIRODEA, Mr. K. S.
GILDER, Dr. M. D.
GINWALLA, Mr. F. J.
GUNJAL, Mr. N. R.
JADHAV, Mr. B. V.
JATEENDAS DOULATRAM, Mr.
JOG, Mr. V. N.
JOSHI, Mr. S. C.

KALE, Rao Bahadur R. R.
KAWALI, Rao Bahadur S. T.
KAREI, Mr. M. D.
LALJI NARANJI, Mr.
MAJMUDAR, Mr. N. G.
MUKADAM, Mr. W. S.
NAIK, Rao Bahadur B. R.
NANAL, Mr. B. R.
PAHALAJANI, Mr. B. G.
PATASKAR, Mr. H. V.
PATIL, Mr. G. I.
PATIL, Mr. J. R.
PATIL, Rao Saheb D. R.
RAJMAL LAKHICHAND, Mr.
SARDESAI, Mr. S. A.
SAYED MUNAWAR, Mr.
SHETH, Mr. A. D.
SOLANKI, Dr. PURUSHOTTAMRAI G.
SURVE, Mr. V. A.
SWAMINARAYAN, Mr. J. C.
VANDERKAR, Rao Saheb R. V.

Tellers for the Ayes: Mr. A. D. SHETH and Rao Bahadur R. R. KALE.

Noes

ABDUL LATIF HAJI HAJRAT KHAN, Khan
Saheb
ADDYMAN, Mr. J.
AHMAD, MOULVI RAFIUDDIN
ANDERSON, Mr. F. G. H.
BALAK RAM, Mr.

BROWNIE, Mr. D. R. H.
CHATHFIELD, Mr. G. E.
DARHOLKAP, Sir VASANTRAO
DACHUNIYA, Mr. G. A.
DAUDKHAN SHALLBHOY, Mr.

Noes—*contd*

DESAI, the Honourable Dewan Bahadur	MONTGATH, Mr. J.
HABILAL D.	MUJUMDAR, Sardar G. N.
DUGUID, Mr. A.	MURZBAN, Mr. P. J.
GHOSAL, Mr. J.	PAINTER, Mr. H. L.
GHULAM NABI SHAH, Khan Sahab	PERRY, Mr. E. W.
HARRISON, Mr. C. S. C.	PIEHL, Mr. F. W.
HATCH, Mr. G. W.	PRADHAN, the Honourable Mr. G. B.
HOTSON, the Honourable Mr. J. E. B.	RAHIMTOOLA, Mr. HOSENALLY M.
JANVEKAR, Mr. D. A.	RIEU, the Honourable Mr. J. L.
JEHANGIR, the Honourable Mr. COWASJI	SHAIKH ABDUL AZIZ ABDUL LATIF, Mr.
JONES, Mr. W. E.	SMYTH, Mr. J. W.
MANSURI, Khan Sahab A. M.	TAUNTON, Mr. I. H.
MARTIN, Mr. J. R.	TURNER, Mr. C. W. A.
MEHTA, the Honourable Sir CHUNILAL	WILES, Mr. G.
MIR MAHOMED BALOOH SHAIKH, Mr.	

Tellers for the Noes · MOULVI RAFIUDDIN AHMAD and Mr. S. K. BOLE.

The Honourable the PRESIDENT: The second part of the amendment is that the Select Committee will consist of:

The Honourable the Home Member,
The Chief Secretary,
The Legal Remembrancer,
Rao Bahadur B. R. Kale,
Moulvi Rafiuddin Ahmad,
Mr. B. G. Pahalajani,
Mr. Hooseinbhoy Abdullabhoy Lalljee,
Mr. Amritlal D. Sheth,
Rao Sahab D. R. Patil.

The Committee to report by the 10th of March 1927 and four to form the quorum.

Mr. S. K. BOLE: Sir, I beg to propose that the names of the honourable member Dr. Ambedkar and the honourable member Mr. Ginwalla be added.

The Honourable the PRESIDENT: I would advise the honourable member not to insist on this at this late stage, because many honourable members had proposed that some further names be added and insisted upon it, but it has been agreed that nine is a good number. I would, therefore, request the honourable member to withdraw his proposal.

Mr. S. K. BOLE: I withdraw my proposal.

Bill referred to Select Committee. Question put and carried.

BILL No. VII OF 1927 (A BILL FURTHER TO AMEND THE BOMBAY RENT (WAR RESTRICTIONS) ACT, 1918).

The Honourable the PRESIDENT: Bill No. VII of 1927, a Bill further to amend the Bombay Rent (War Restrictions) Act, 1918.

The Honourable Mr. COWASJI JEhangIR: Mr. President,
First Reading. I beg to move Bill* No. VII of 1927, a bill further to amend the Bombay Rent (War Restrictions) Act, 1918.

The Honourable the PRESIDENT: What does the honourable member propose? Does he introduce the bill?

The Honourable Mr. COWASJI JEHangIR: I introduce the bill first, and then I move the first reading. This is a simple measure, Mr. President, that I have to bring before this honourable House; and it has been necessitated by a difference of opinion amongst lawyers as to the interpretation of a certain section of the Act, and, to obviate unnecessary litigation, Government thought it would be advisable to bring this simple amending bill in the interests of the public. I will very shortly explain what the difference of opinion is, so that honourable members may not find it necessary to send this bill to a select committee.

Section 2 of the Act as amended in 1925 defines what standard rent means. Section 2 (1) (a) states:

"The expression 'standard rent' in relation to any premises means—

(i) the rent at which the premises were let on the first day of January 1916, or, where they were not let on that date, the rent at which they were last let etc."

Section 2 (1) (a) (ii) states that the expression "standard rent" in relation to any premises means, in the case of any premises that were first let between the first day of January 1916 and the 10th of April 1918, the rent at which they were first let. Therefore, the Act gives you a definition of what standard rent is for premises let on the 1st of January 1916 and for premises let for the first time between the 1st of January 1916 and the 10th of April 1918.

MOULVI RAFI UDDIN AHMAD: Would you define "the first time"?

The Honourable Mr. COWASJI JEHangIR: That is to say, when a building is newly constructed, and is let for the first time. Let us divide the premises into two classes; (1) premises which were constructed before the 1st of January 1916. Their standard rent is the rent at which they were let on the 1st of January 1916; (2) Premises constructed or let for the first time between the 1st of January 1916 and the 10th of April 1918; the rent at which they were let for the first time is the standard rent. But the section does not state what is the standard rent of buildings that were let for the first time after the 10th April 1918. A case was before the Small Causes Court, where the judge held that definition of standard rent of a dwelling let for the first time after April 1918 not being included in the Act, the Act did not apply to those dwellings. The matter went on appeal to a full bench, and there was a difference of opinion. The judges of the Small Causes Court have referred the matter to the High Court, and we have been advised that, to cut a long matter short, it is best to amend the Act and add a very small clause defining what the standard rent of buildings let for the first time after April 1918 really is, and therefore we propose to add the following:

"In the case of any premises that were or shall be first let after the 10th day of April 1918, the rent at which they were or shall be first let."

That is the whole measure that is before the House.

Mr. F. J. GINWALLA: Does it refer to all buildings?

The Honourable Mr. COWASJI JEHangIR : New buildings first let after the 10th April 1918. If a building was constructed before 1916, there is a definition of standard rent. For all buildings constructed between the 1st of January 1916 and the 10th April 1918 there is also a definition ; but for buildings constructed after April 1918 there is no definition, and some Judges thought that there ought to be a definition, and because there was no definition.....

An Honourable MEMBER : Was it the intention to apply the Act to all buildings after 1918 ?

The Honourable Mr. COWASJI JEHangIR : It was always the intention of this Government and this House that the Rent Act should, of course, apply to all buildings constructed after April 1918. The intention was that the standard rent of those buildings should be the first rent obtained for such buildings. That was always the intention of the Government and that was also the intention of the legislature. There was no doubt about it. In the select committee and in the old Act all buildings were included. For instance, Mr. President, if the Rent Act had not been amended in 1925 and had merely been extended, and if any honourable member built a house yesterday and that house was let to-day, the standard rent for that house would be the rent that he obtained to-day and he would not be allowed in future to get an increased rent for that building. That was the intention of the old Act ; that was certainly the intention of the legislature when the Act was amended. I have not the slightest doubt in my mind nor could there be any doubt in the mind of any honourable member who either was in this honourable House or in the select committee as to what we really intended to do. In order to obviate all trouble, Government thought it best to bring in this amending bill. Clause 3 of the bill is merely consequential and clause 4 of the bill gives it retrospective effect from the 1st January 1926 when the amending Act came into force. That is all there is in the bill.

I do not think that this very simple measure deserves any further consideration by this House and if any honourable member considers that this bill should be sent to select committee, I trust he will express his opinion on the first reading and I shall have no objection to sending it to select committee. It is an exceptionally simple measure, which really carries out the intention of both the Government and the legislature and can be passed into law immediately, but if, I repeat, there is any desire on the part of any honourable member and if the majority of the honourable members are in agreement with that individual honourable member, that this bill should go to a select committee, I shall move that it should go to a select committee. There are certain honourable members of this House who are lawyers and who know exactly what is the consequence of this amendment. They will, I trust, advise the House as to whether they think that this measure requires further consideration, and if on the first reading the majority of the honourable members want me to refer the bill to select committee, I shall do that or else I shall move for the second reading.

Sir VASANTRAO DABHOLKAR : Sir, I rise to oppose the first reading of the bill only on a question of principle. Though at present things have adjusted themselves and rents have gone down considerably, there is a question of principle involved in it, and for this reason alone I rise to oppose the first reading of the bill, and if a motion is made for second reading, I will move for a reference of the bill to a select committee. My reasons are that it is nearly eleven years since the Act was passed and even in 1926 the Rent Act was again amended, but it never occurred to Government to introduce this legislation as regards houses that were built after 10th April 1918. I want to have this matter referred to select committee for one reason alone, namely, in order that I may have access to certain records and to see what actually happened when this Act was passed in this House by the predecessor of the Honourable the General Member. I know it for certain that the reason why 1918 was excluded from the operation of the Rent Act was that in those days the value of land had gone up, building materials had gone up and that is why Government did not want to bring houses built after 1918 under the restrictions of the Rent Act; this is my supposition and in order to go through the records and to see what assurances were given by the then Governor and the General Member on that point, I want this matter to be referred to select committee.

The Honourable Mr. COWASJI JEHangIR : I ask the honourable member one question. He says that this question was discussed by my predecessor. May I ask him at what stage did we consider the question? Was the year 1918 ever mentioned before the amendment of 1925?

Sir VASANTRAO DABHOLKAR : I am glad that the question is put to me by the Honourable the General Member, but when I joined this Council as a nominated member in 1922 (when the Honourable the General Member Mr. Cowasji Jehangir was away in England) I found that even in 1922 the question of 1918 was not at all raised although it could have been introduced by the predecessor of the present the Honourable the General Member. Furthermore, because there is a suit in the Small Causes Court and a reference is made to the High Court and the High Court has found that there is no restriction for buildings built after 10th April 1918, is it the right policy of Government to amend the Act at this stage and for whom? Let the High Court decide in its own way. I do not understand why such amendments of bills are brought one after the other. No doubt at present there is no necessity of the Rent Act because rents are falling down, but simply on a question of principle, and in order to go through the records, as I said before, and to see what assurances were given by the then General Member and Government, I wish to move at the second reading, if the stage is reached, that the bill should be referred to a select committee, but just at present I am opposed to the first reading of the bill.

Mr. F. J. GINWALLA (Bombay City North) : Sir, I also agree with my honourable friend, Sir Vasantao Dabholkar, with whom I practically never agree. But on this matter I want to say that at the time when the Rent Act was passed first, there was a dearth of houses in Bombay and

[Mr. F. J. Ginwalla]

for that particular purpose we were encouraging building programmes in order to alleviate the housing conditions. New premises were therefore definitely excluded from the operation of the Rent Act. As a matter of fact I have found, as a solicitor practising in the honourable High Court, that many lawyers know it to be a fact that when the new provisions were introduced it was distinctly understood that new buildings were to be exempted from the operation of the Rent Act. So far as I am personally concerned, I have not the slightest doubt that the new premises were specially excluded in order to give a fillip to building programmes by holding out an inducement to rich people to build houses. Therefore, I consider that this matter should not be rushed. Let us all consider it from all its aspects. I would therefore urge that the bill should be referred to a select committee if it passes the first reading.

Mr. R. S. ASAVLE (Bombay City North) : Sir, I rise to support the first reading of the bill introduced by the Honourable the General Member for the reason that in the year 1916 the rents were no doubt low but they had gone up in the time of the war when the landlords were extracting higher rents from their poor tenants. Since 1918, though new buildings were built in that year, rents went not so low as the rents of the year 1916, but as the year 1918 has been excluded from the bill, as has been stated by the Honourable the General Member, it is necessary that this Act be made clear so that the poor people may not suffer on account of having to pay heavy rents at the sweet will and pleasure of their landlords. What the honourable member Sir Vasantao Dabholkar has stated about the rents having gone down considerably is utterly untrue. I know that tenants who have been paying rents up to Rs. 60 have still to pay the same rents and that only rents above Rs. 60, namely Rs. 80 or Rs. 100 and upwards have come down to that level. I would sound a note of warning to the honourable House that there is every likelihood of an increase in rents for premises which are now rented for anything from Rs. 5 to Rs. 20 as soon as the Rent Act goes away.

The landlords, the greedy landlords, are ready to seize the chance of getting the Rent Act repealed as early as possible, but they cannot do it for two years more. It is therefore the wish of the honourable member Sir Vasantao Dabholkar that this matter be sent to the select committee. But no good purpose will be served by sending this bill to a select committee. All the three readings of this bill should be passed straight away. I therefore request those who really have the interests of the poor at heart not to delay this bill any further, but to pass it at once.

Mr. N. A. BECHAR (Karachi City) : Sir, the point of opposition raised by my honourable friends Mr. Ginwalla and Sir Vasantao Dabholkar is really altogether irrelevant. I say it is irrelevant in the sense that in regard to premises which were let after the 10th day of April 1918, the landlords had the option of fixing their own standard rent. That is the most important point which these honourable members are forgetting. It is not the legislature that has fixed the rents in regard to such premises, but it is these greedy landlords that have fixed them.

[Mr. N. A. Bechar]

I ask you, Sir, upon his own reasoning, as to why he is opposed to this measure. On the one hand, he says that the rents are falling. If the rents are falling, the legislature is really helping him to get more rent under the Act, because if the rents are falling say from Rs. 40 to Rs. 15, under the Act he will be entitled to claim a rent of Rs. 20 where, in the absence of the Act, he would get only Rs. 15. Therefore, I think there is no ground upon which the honourable member Sir Vasantao Dabholkar can oppose this bill; on the contrary, it is helping him.

Coming to my honourable friend Mr. Ginwalla, I think his position is untenable. He came largely with the ticket of labour, and I find that he is to-day upholding the cause of the landlords. I am entirely at a loss to understand his position, and I must strongly protest against this kind of action. I think that the bill should pass all the three readings to-day. If it is necessary that it should go to a select committee, by all means let it go to a select committee, but, as has been pointed out, I think it is better that we should go on with all the three readings of the bill to-day. This bill is necessary only because some defect has been found in the Act for want of clear expression of thought. Sir, I do not wish to say anything further upon the necessity of the Act, because the Act is already on the Statute Book, and will continue to exist for two years more. It is merely because some inconsistency exists in the Act that this bill has been brought forward to remove it. The Honourable the General Member is himself a landlord; he has proposed this bill, and I most heartily congratulate him upon this relief that he proposes to give to the poor. When a bill is brought up in this Council to extend the life of the present Rent Acts beyond their present period—and I propose to bring forward such a bill—I hope he will show the same response.

Mr. BALAK RAM: Sir, I beg to support the motion to read the bill for the first time. From the speeches that have been delivered in the House, it seems that there is a little misunderstanding regarding the object of this bill. Questions of policy underlying the Rent Act have been discussed, but may I point out that this bill does not profess to deal with questions of policy at all, and that it is stated distinctly in the preamble that it is intended merely to remove certain doubts which have arisen regarding the meaning of the expression "standard rent"? The difficulty has arisen in this way. In the old Act there was a definition of "standard rent" which applied to all premises. When the Act was amended in 1925, the definition through an oversight was changed in such a manner that there was no explicit reference to premises which were let after the 10th of April 1918. The omission was noticed too late, but it was hoped that the courts would not treat it as of any importance. There was, we were informed, a similar omission in the English Rent Act, and the courts in England when called upon to interpret the Act supplied the omission by implication. We however felt that if we counted on the courts supplying the omission by implication, it might lead to a good deal of unnecessary litigation. When this was realised, it was decided to have an amending bill ready. Meanwhile the question

[Mr. Balak Ram]

actually arose in the courts, and a ruling of an inconvenient nature was given. The matter, it is true, is *sub judice*; but there is no reason why we should not legislate and prevent any more waste of peoples' money, and settle the doubt once for all. Therefore, I hope that the House will support the first reading, and also allow the bill to pass through all its stages without referring it to a select committee.

Mr. N. B. CHANDRACHUD (Poona City): Sir, for the first time since my introduction in this House, I have been fortunate in supporting a Government measure, and I oppose the honourable member Mr. Ginnwalla. He says that every measure ought to go to the select committee. I do not know exactly what he means by that. This measure is really so simple and so plain that I myself fail to see the necessity of sending it to a select committee. It is simply a waste of the time and the energy of honourable members that the bill should be referred to a select committee, that it should come before the House again, and be discussed by it again. I think we cannot afford to waste our time in that way.

Secondly, this Act was passed more or less as a war measure. It came into existence, I believe, in the year 1918. It was also made applicable to the Poona cantonment and the area of the Poona suburban municipality, and I can claim that I have first hand knowledge and information as to the working of this Act. I can say from my own experience that this Act is absolutely necessary, in the interests of the tenants, to protect the tenants from the rapacity of the landlords. Now, will you believe what happens? A landlord lets a place to a tenant, say on Rs. 25 per month; the poor tenant opens a shop and resides in the house, and he secures some customers; immediately the landlord finds that the tenant is doing well, he raises the rent to say Rs. 50 per month. Where is the poor man to go with all his family and his bag and baggage? What is he to do if he cannot get a decent house? That was the reason why this measure was introduced. From time to time, it has been extended. Now, there was a definition of standard rent in the old Act. In certain localities, Government had appointed certain officers, and they had to make enquiries and to fix the standard rent. In other localities where Government had not appointed such an officer, the standard rent was the rent which the landlord was receiving on the 1st of April 1916. I am not sure as to the date, but that was the definition of standard rent. In the Poona Cantonment and the area of the Poona suburban municipality this Act is confined to those premises in which tenants are residing; it has not been made applicable to premises used for business purposes. What is now the proposal before the House? It only says that the definition of standard rent is not applicable to places which have come into existence after the 10th of April 1918, and that it is desirable that there should be a definition of standard rent in regard to such places. That is the only proposal before the House. It is very simple and plain. Its object is to define standard rent in regard to premises which have come into existence after the 10th of April 1918, and it makes it clear that standard rent in regard to such premises

[Mr. N. B. Chandrachud]

means the rent which the landlord received on the 10th of April 1918. Now, if the honourable member Sir Vasantao Dabholkar says that the rents have gone down, I myself do not see why he should be afraid of the Act. What is there to make him nervous?

The Honourable the PRESIDENT: I would draw the honourable member's attention to the fact that time is getting on.

Mr. N. B. CHANDRACHUD: I will conclude my remarks, Sir. I can assure the House that this measure is absolutely necessary. I can say that from my own experience, and I hope that the House will pass the measure without further waste of time.

Dr. M. D. GILDER: Sir, I move the closure.

The Honourable the PRESIDENT: I accept it.

The Honourable Mr. COWASJI JEHangIR: Sir, I have not very much to say. I will move the second reading after the first reading is passed. There is one point I would like to emphasise. I am not surprised that my honourable friend Mr. Ginwalla opposed this measure as a labour member, but I am certainly surprised at his opposing it as a solicitor. Mr. President, he said that in his long practice in the High Court he had never realised that the Rent Act applied to new premises. May I ask whether in his experience as a solicitor in the High Court for the last so many years he has ever read this section. The section reads:

"The expression 'standard rent' in relation to any premises means—
(ii) in the case of any premises that were or shall be first let after the first day of January 1916, the rent at which they were or shall be first let; or"

That means that it applies to all buildings newly constructed after 1st January 1916. If he has been a solicitor all these years and does not understand that section, I can only say that I am very sorry for him. (Hear, hear.) Now, Sir, I read the section as it was originally in the Act; before it was amended in 1925. In amending the section, as was pointed out by the Legal Remembrancer, we forgot to define 'premises which were first let after the 10th day of April 1918'. The same mistake was made in the English Act also. Therefore this measure has been brought forward. We have to trouble the House for this small piece of legislation, and I hope the House will pass the first, second and third readings within the two minutes that remain before our usual time of adjournment.

Bill read a first time. Question put and carried.

The Honourable Mr. COWASJI JEHangIR: I move, Sir, that the Second reading. bill be read a second time.

Bill read a second time. Question put and carried.

Bill read clause by clause

Clause 1 (*Short title*) ordered to stand part of the bill.

Clause 2 (*Amendment of section 2 of Bom. II of 1918*) ordered to stand part of the bill.

Clause 3 (*Amendment of schedule A of Bom II of 1918*) ordered to stand part of the bill

Clause 4 (*Amendments made by section 2 to have retrospective effect*)

The amendments made by section 2 shall be deemed to have been made and to have had effect from the 1st day of January 1926

Mr. BALAK RAM. Sir, I move

"That in clause 4 after the figure '2' add the word and figure 'and 3' "

This is purely a verbal amendment and I hope the House will accept it.

Question put and carried.

Clause 4 as amended ordered to stand part of the bill.

Preamble ordered to stand part of the bill.

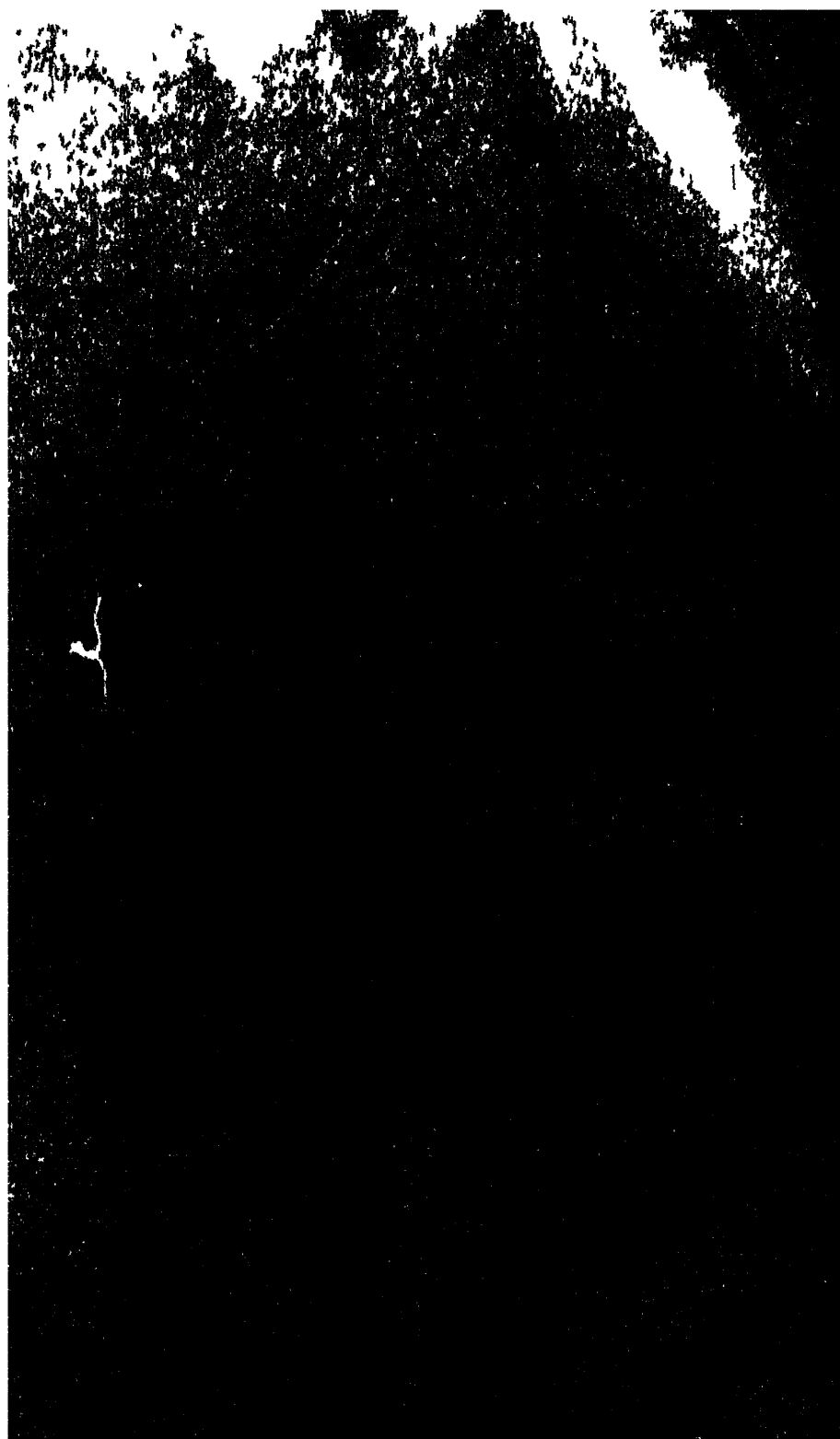
The Honourable Mr COWASJI JEHangIR. I move, Sir, that the

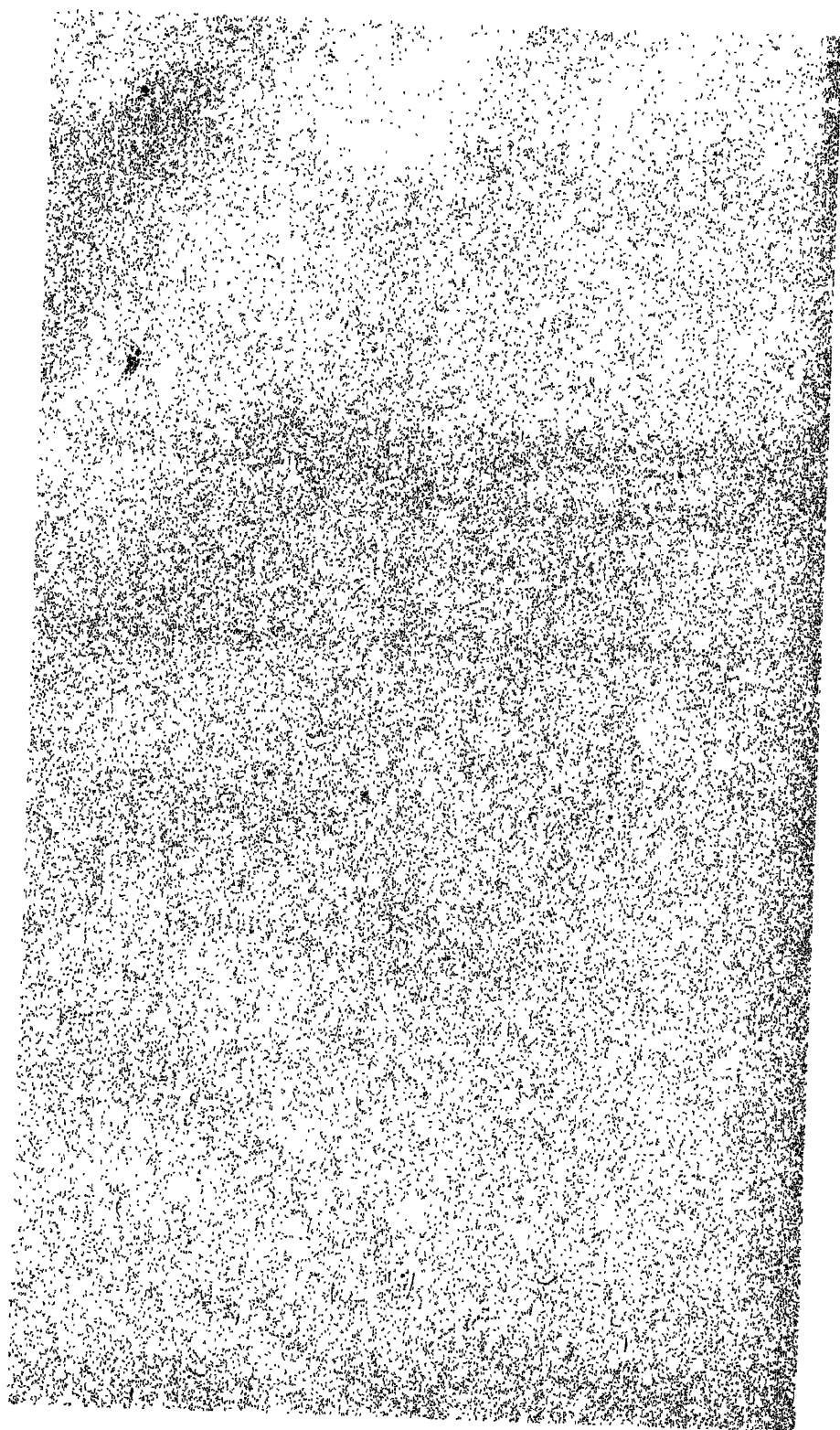
Third reading bill be read a third time.

Bill read a third time. Question put and carried.

The Honourable the PRESIDENT. The bill is read a third time and passed.

The House will now adjourn till 2 o'clock on Monday, the 28th February 1927.





Vol. XIX

Part IX



Bombay Legislative Council Debates

Official Report

Monday, February 28, 1927

[Price—Annas 5 or 6d.]

BOMBAY

PRINTED AT THE GOVERNMENT CENTRAL PRESS
1927

Obtainable from the Superintendent of Government Printing and Stationery,
Bombay, from the High Commissioner for India, 42 Grosvenor Gardens,
S.W. 1, London, or through any recognized Bookseller.

28 FEB. 1927]

Monday, the 28th February 1927

The Council re-assembled at the Town Hall, Bombay, at 2 p.m., on Monday the 28th February 1927, the Honourable the President, Mr. A. M. K. DEHLAVI, Bar.-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Saheb.
 ADDYMAN, Mr. J.
 AHMAD, MOULVI RAFIUDDIN
 ALLAHBAKSH walad Khan Saheb HAJI MAHOMED UMAR, Mr.
 AMBEDKAR, Dr. B. R.
 ANDERSON, Mr. F. G. H.
 ASAVLE, Mr. R. S.
 ATAVANE, Mr. A. M.
 BALAK RAM, Mr.
 BECHAR, Mr. N. A.
 BHOSLE, Mr. M. G.
 BHURGRI, Mr. J. W.
 BHUTTO, Khan Bahadur S. N.
 BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
 BIRADAR, SARDAR MAHABOOBALI KHAN
 BOLE, Mr. S. K.
 BROWNE, Mr. D. R. H.
 CHANDRACHUD, Mr. N. B.
 CHATFIELD, Mr. G. E.
 CHIKODI, Mr. P. R.
 DABHOLKAR, Sir VASANTRAO.
 DAGUMIYA, Mr. G. A.
 DAUDKHAN SHALEBHoy, Mr.
 DESAI, the Honourable Dewan Bahadur HARILAL D.
 DESAI, Mr. B. T.
 DESAI, Mr. J. B.
 DESAI, Rao Saheb D. P.
 DESHPANDE, Mr. L. M.
 DIXIT, Dr. M. K.
 DUGUID, Mr. A.
 FIRODEA, Mr. K. S.
 GHOSAL, Mr. J.
 GHULAM HUSSAIN, the Honourable Sir
 GHULAM NABI SHAH, Khan Saheb
 GILDER, Dr. M. D.
 GINWALLA, Mr. F. J.
 GUNJAL, Mr. N. R.
 HARRISON, Mr. C. S. C.
 HATCH, Mr. G. W.

HOTSON, the Honourable Mr. J. E. B.
 JADHAV, Mr. B. V.
 JAIRANDAS DOULATRAM, Mr.
 JAN MAHOMED KHAN, Khan Bahadur
 JANVEKAR, Mr. D. A.
 JATOI, Khan Bahadur HAJI IMAMBAKSH KHAN
 JEHANGIR, the Honourable Mr. COWASJI
 JITEKAR, Mr. HAJI IBRAHIM HAJI MAHOMED
 JOG, Mr. V. N.
 JONES, Mr. W. E.
 JOSHI, Mr. S. C.
 KALE, Rao Bahadur R. R.
 KAMBLI, Rao Bahadur S. T.
 KARKI, Mr. M. D.
 KAY, Sir JOSEPH
 KHUHO, Mr. M. S.
 LALJI NARANJI, Mr.
 LALLJEE, Mr. HOOSEINBHAY ABDULLABHAY
 MAJMUDAR, Mr. N. G.
 MANSURI, Khan Saheb A. M.
 MARTIN, Mr. J. R.
 MEHTA, the Honourable Sir CHUNILAL
 MIR MAHOMED BALOCH SHAIKH, Mr.
 MONTEATH, Mr. J.
 MUJUMDAR, Sardar G. N.
 MUKADAM, Mr. W. S.
 MURZBAN, Mr. P. J.
 NAIK, Rao Bahadur B. R.
 NANAL, Mr. B. R.
 NOOR MAHOMED, Mr.
 OLIVEIRA, Mr. F.
 OWEN, Mr. A. C.
 PAHALAJANI, Mr. B. G.
 PAINTER, Mr. H. L.
 PATASKAR, Mr. H. V.
 PATEL, Mr. G. I.
 PATEL, Mr. J. R.
 PATIL, Rao Saheb D. R.
 PERRY, Mr. E. W.
 PETOH, Mr. F. W.
 PRADHAN, the Honourable Mr. G. B.
 PRADHAN, Mr. R. G.
 RAHIMTOOLA, Mr. HOUSENALLY M.
 RAJMAL LAKHICHAND, Mr.
 RIEU, the Honourable Mr. J. L.
 SARDESAI, Mr. S. A.
 SAYED MUHAMMAD KAMIL SHAH
 SAYED MUNAWAR, Mr.
 SHAIKH ABDUL AZIZ ABDUL LATIF, Mr.
 SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.

SHETH, Mr. A. D.
 SHIVDASANI, Mr. H. B.
 SMYTH, Mr. J. W.
 SOLANKI, Dr. PURUSHOTTAMRAI G.
 SURVE, Mr. V. A.
 SWAMINARAYAN, Mr. J. C.
 TAUNTON, Mr. I. H.
 THORNER, Mr. J. P.
 TURNER, Mr. C. W. A.
 VANDEKAR, Rao Sahib R. V.
 WADIA, Mr. C. N.
 WILES, Mr. G.
 WINTERBOTHAM, Mr. G. L.

The Honourable the PRESIDENT : Order, order. Questions.

MALEGAON RIOT PRISONERS

MOULVI RAFIUDDIN AHMAD (Central Division) : Will Government be pleased to state—

(a) whether the nine Muhammadan convicts sentenced to various terms of imprisonment in connection with the Malegaon riot about the release of whom a resolution was moved in the last Council have been released ;

(b) if not, is Government aware that there is a strong and widespread Muhammadan opinion in this presidency in favour of their release as they are considered to be victims of a misguided religious movement and as they have expressed their repentance and promised to lead a peaceful life when released ?

The Honourable Mr. J. E. B. HOTSON : (a) One has been released.

(b) Government have received a representation on the subject from the honourable member, and also copies of resolutions passed by the Momins' Conference at Calcutta and the Anjumane Zia-ul Islam, Tardeo. No other expression of Muhammadan opinion in this presidency has reached them.

KHAN SAHEB ABDUL LATIF HAJI HAJRAT KHAN : Will the Honourable Member be pleased to state whether the assurances given by Government at the time of the resolution was going to be fulfilled, and, if so, when ?

The Honourable Mr. J. E. B. HOTSON : The assurance given was that the cases would be carefully considered again. I think that is right : they are being considered.

GOVERNMENT SERVICE : SELECTION BOARD

Dr. B. R. AMBEDKAR : Will Government be pleased to state—

(a) whether there is any selection board constituted for the purpose of selecting candidates applying for vacancies in the Provincial and Subordinate Services of the Government of Bombay ;

(b) if so, the names of the members who constitute that Board ?

The Honourable Sir CHUNILAL MEHTA : No single Board exists for selecting candidates for the Provincial and Subordinate Services of the Government of Bombay. For certain of the Provincial Services selection committees have been constituted. Appointments to the Subordinate Services are made by the heads of office under powers delegated to them or by the Local Government.

Dr. B. R. AMBEDKAR : Will the Honourable Member state whether he can give the names of the members of the Committees constituted for the Provincial Services ? He says that for certain of the Provincial Services selection committees have been formed.

The Honourable Sir CHUNILAL MEHTA : I am afraid I cannot carry the names of the members in my head. If the honourable member gives notice, I shall supply the names. But I think there is not a fixed list of members of these committees ; they change, I believe, every year or from time to time.

Rao Saheb D. P. DESAI : Will the Honourable Member state which are the Provincial Services for which there are selection committees ?

The Honourable Sir CHUNILAL MEHTA : I cannot give the names of all committees from memory, but so far as I remember there was a committee constituted for the Forest Service, one for deputy collectors, one for the Police and another for the Engineering Service.

An Honourable MEMBER : What was the function of the committees ?

The Honourable Sir CHUNILAL MEHTA : To select candidates.

DISTRICT COURT, NAGAR : PLEADERS' ROOM

Mr. K. S. FIRODEA (Ahmednagar District) : Will Government be pleased to state—

(a) whether they are aware of the fact that owing to the increase in the number of pleaders the present pleaders' room in the compound of the District Court, Nagar, is very insufficient ;

(b) whether they have received any communication about this ;

(c) if so, what steps have been taken with regard to it ?

The Honourable Mr. J. E. B. HOSTON : (a) and (b). Yes

(c) The matter is receiving the attention of Government and necessary steps are being taken.

Mr. K. S. FIRODEA : May I know the time by which this will be done ?

The Honourable Mr. J. E. B. HOSTON : Soon, I hope.

Mr. K. S. FIRODEA : Is there no probable date ?

The Honourable Mr. J. E. B. HOSTON : I cannot give a definite date.

Mr. W. S. MUKADAM : Can the Honourable Member give the approximate date ?

[No answer.]

COLLECTOR'S OFFICE, NAGAR : PLEADERS' ROOM

Mr. K. S. FIRODEA (Ahmednagar District) : Will Government be pleased to state—

(a) whether they are aware of the fact that there is no Pleadors' Room in the compound of the Collector's Office at Ahmednagar ;

(b) whether they intend to remove this difficulty at an early date ?

The Honourable Mr. J. E. B. HOTSON : (a) Yes.

(b) Accommodation will be provided for pleaders and visitors when new offices for the Sub-Divisional Officers and City Magistrate are built.

Mr. K. S. FIRODEA : Can no accommodation be provided in the present compound ?

The Honourable Mr. J. E. B. HOTSON : No. It is very crowded.

Mr. G. I. PATEL : Will Government send instructions to provide a room ?

The Honourable Mr. J. E. B. HOTSON : The matter is in hand at the present time, as will be seen from the answer.

Dr. M. K. DIXIT : Has any provision been made in the next year's budget ?

The Honourable Mr. J. E. B. HOTSON : No. It will be a very small item.

APPOINTMENT OF RETRENCHMENT COMMITTEE

Mr. F. J. GINWALLA (Bombay City, North) : Will Government be pleased to state whether they propose to appoint a Retrenchment Committee with a non-official majority for the purposes of effecting retrenchment in all Government Departments and if so, when they propose to do so and, if not, why not ?

The Honourable Sir CHUNILAL MEHTA : Government have appointed a Special Officer to investigate possible sources of retrenchment in the various departments, and are awaiting his reports.

Mr. F. J. GINWALLA : Will the Honourable the Finance Member tell me whether this is an answer to my question, namely : " Will Government be pleased to state whether they propose to appoint a Retrenchment Committee with a non-official majority for the purposes of effecting retrenchment in all Government Departments and if so, when they propose to do so and, if not, why not ? "

The Honourable Sir CHUNILAL MEHTA : Yes. I think there ought to have been added the words " After his reports are received Government will consider the question."

Rao Saheb D. P. DESAI : Have the Government received any reports from the Retrenchment Officer ?

The Honourable Sir CHUNILAL MEHTA : Yes, they have received reports of a few departments.

Mr. G. I. PATEL : Will the report be published ?

The Honourable Sir CHUNILAL MEHTA : Yes, it will be published.

Dr. M. K. DIXIT : Will Government put on the Council table the instructions ?

The Honourable Sir CHUNILAL MEHTA : The honourable member will find this information in the reply given to the question of Mr. R. G. Pradhan. I have already put the Government resolution on the Council table.

Mr. JAIRAMDAS DOULATRAM : What is the objection in placing the recommendations of the Retrenchment Officer on the Council Table ?

The Honourable Sir CHUNILAL MEHTA : The Retrenchment Officer is examining department after department, and he has put in a few reports. They will be put on the Council table together.

Mr. JAIRAMDAS DOULATRAM : Why should not the members of the Council get the reports as they come in ?

The Honourable Sir CHUNILAL MEHTA : As I have said, we have received a few till now and they could not be placed on the Council table in such a small number. However, we shall do so at the next session in July.

Rao Saheb D. R. PATIL : What is the amount of retrenchment made ?

The Honourable Sir CHUNILAL MEHTA : I think the House was informed by the Finance Secretary yesterday or day before that it is roughly about 16 lakhs and has been included in the budget.

Rao Bahadur R. R. KALE : Will Government state whether they intend to give effect to some of the recommendations of the Retrenchment Committee of official and non-official members appointed by the first reformed Council and also to such recommendations as were kept pending the Lee Commission's report.

The Honourable Sir CHUNILAL MEHTA : Do I understand the honourable member to say that the statement issued by the Government on the report of the Retrenchment Committee then stated with regard to those recommendations that they were held over pending the report of the Lee Commission.

Rao Bahadur R. R. KALE : So, my question is whether the Government intend taking any action on the recommendations of that Committee about which in their statement Government have promised that they will consider the matter after the report of the Lee Commission is received.

The Honourable Sir CHUNILAL MEHTA : I am afraid I have not got the statement just now before me, but I have mentioned to the Council that the Retrenchment Officer is taking into consideration the recommendations of the Retrenchment Committee and whatever action Government has taken upto now has already been put before the Council. Further action will be taken according to the report of the Retrenchment Officer.

Mr. JAIRAMDAS DOULATRAM : Is it a fact that the powers of the Retrenchment Officer to deal with all aspects of the Government activities are restricted ?

The Honourable Sir CHUNILAL MEHTA : No. I do not think so.

Mr. F. J. GINWALLA : Will Government be pleased to state the time which will take to prepare the report ?

The Honourable Sir CHUNILAL MEHTA : I cannot state definitely. It depends on the speed with which the Officer is able to do his work. He is taking department after department and at present he is engaged in the High Court, but I should say it would take another four months.

KIRPANS : ORDERS REGARDING LENGTH

Mr. JAIRAMDAS DOULATRAM (Eastern Sind) : Will Government be pleased to state —

(a) whether it is a fact that the Government of India and the Punjab Government have withdrawn their original orders restricting the length of a Kirpan to 9 inches ;

(b) whether it is a fact that the Punjab High Court has also decided that a kirpan may legitimately be of the length of a sword ;

(c) whether it is a fact that the Bombay Government had issued its orders restricting the length of a kirpan to 9 inches only after the Punjab Government had passed such orders ;

(d) what objections, if any, exist to the Government of Bombay revising their orders so as to bring them in a line with those now in force in the Punjab ?

The Honourable Mr. J. E. B. HOTSON : (a) It is not known what orders the honourable member refers to.

(b) The reply is in the affirmative so far as the Punjab is concerned, that is, to quote the judgment in the Lahore case which the Honourable Member has in mind,

“until (the Punjab) Government have in a Notification qualified the word as used in the Schedule (Schedule II of the Arms Rules, 1924) by fixing the length. . . .”

(c) The orders of the Bombay Government were issued in 1921. They did not constitute a restriction but a concession.

(d) As mentioned in the answer to (a), the particular orders to which the Honourable Member refers are unknown. There do not appear to be sufficient reasons for altering the orders now in force in Bombay.

Mr. JAIRAMDAS DOULATRAM : Will Government be pleased to place on the Council Table the order issued by them ?

The Honourable Mr. J. E. B. HOTSON : I shall require notice of this question.

Mr. JAIRAMDAS DOULATRAM : The Honourable the Home Member says that there do not appear to be sufficient reasons for altering the orders now in force in Bombay. May I ask him whether it is suggested that the reasons which led to the orders being altered in the Punjab should also come into existence here, *i.e.*, civil disobedience ?

The Honourable Mr. J. E. B. HOTSON : I find no such suggestion in his answer.

BENCH MAGISTRATES IN SIND

Mr. JAIRAMDAS DOULATRAM (Eastern Sind) : Will Government be pleased to state—

(a) whether it is a fact that the Bar Association of Hyderabad has moved the Judicial Commissioner of Sind to abolish the system of bench magistrates ;

(b) whether Government have considered the question of their abolition ;

(c) whether they propose to invite the opinion of judicial officers as to the utility of these bench magistrates ?

The Honourable Mr. J. E. B. HOTSON : (a) Government have no information

(b) and (c) The question what steps should be taken to improve the working of the courts of Honorary Magistrates and Benches of Magistrates is being considered by Government in consultation with Judicial Officers.

An Honourable MEMBER : Are Government aware that the reports on the honorary magistrates and benches of magistrates are not satisfactory.

The Honourable Mr. J. E. B. HOTSON : Government are not aware that this is so.

Mr. J. C. SWAMINARAYAN : Will Government state the approximate time they will take to come to a definite settlement in this matter ?

The Honourable Mr. J. E. B. HOTSON : As soon as possible.

Mr. B. G. PAHALAJANI : Are Government aware that the reports are against the continuance of this system ?

The Honourable Mr. J. E. B. HOTSON : Government are not aware of this.

Mr. W. S. MUKADAM : May I know if Government has made enquiries into this matter ?

The Honourable Mr. J. E. B. HOTSON : Yes.

Mr. W. S. MUKADAM : Will Government be pleased to place such information on the Council Table ?

The Honourable Mr. J. E. B. HOTSON : No.

Mr. W. S. MUKADAM : May I know if this information is confidential ?

The Honourable Mr. J. E. B. HOTSON : Yes.

Mr. W. S. MUKADAM : May I know if the members of the Council cannot be taken into confidence ?

(No reply).

Mr. W. S. MUKADAM : May I know whether they are so confidential that even members of the Legislative Council cannot look into them ?

The Honourable the PRESIDENT : Order, order. Next question, please. I think the subject has been discussed very often in this House.

DISTRICT COURT FOR NAWABSHAH DISTRICT

Mr. JAIRAMDAS DOULATRAM (Eastern Sind): Will Government be pleased to state—

(a) when they propose to establish a separate district and sessions court for the Nawabshah district;

(b) what is the estimated annual cost of its establishment?

The Honourable Mr. J. E. B. HOTSON: (a) and (b) Government propose to establish a separate District Court for Nawabshah as soon as financial conditions permit. Its establishment will entail an annual charge of Rs. 36,508, but there will probably be savings in other directions to set against this.

Mr. JAIRAMDAS DOULATRAM: What are the estimated savings?

The Honourable Mr. J. E. B. HOTSON: I am afraid they have not yet been worked out in detail, because there are a number of other circumstances none of which have yet been settled.

Mr. NOOR MAHOMED: Has the presiding judge of this court been fixed up yet?

The Honourable Mr. J. E. B. HOTSON: No no; not yet.

NEWSPAPERS IN SIND

Mr. JAIRAMDAS DOULATRAM (Eastern Sind): Will Government be pleased to state—

(a) whether it is a fact that the Criminal Investigation Department receives periodical reports about the circulation of various newspapers;

(b) what is the latest report received by the Criminal Investigation Department as to the circulation of each daily, bi-weekly, tri-weekly and weekly newspaper in Sind?

The Honourable Mr. J. E. B. HOTSON: (a) and (b) The Criminal Investigation Department does not receive such periodical reports.

Mr. W. S. MUKADAM: What department of Government is in the know of such periodical reports?

The Honourable Mr. J. E. B. HOTSON: That is quite a different question.

SUB-PUBLIC PROSECUTORS: HYDERABAD AND KARACHI

Mr. JAIRAMDAS DOULATRAM (Eastern Sind): Will Government be pleased to state—

(a) whether it is a fact that they have sanctioned two sub-public prosecutors, one for Hyderabad and one for Karachi and that the pay of the former is Rs. 150 and of the latter Rs. 200;

(b) whether the work done by the former is by no means less than that of the latter either in quantity or quality;

(c) whether the former is receiving an allowance of Rs. 30 per month for office expenses which would include the pay of a clerk and that the latter is receiving an allowance of Rs. 40 for office expenses in addition to the pay of a constable munshi?

The Honourable Mr. J. E. B. HOTSON : (a) Yes.

(b) Both are full-time appointments.

(c) The Sub-Public Prosecutor at Karachi does not receive the pay of a constable munshi in addition to an office allowance. The rates of the office allowances are regulated according to local conditions.

Mr. JAIRAMDAS DOULATRAM : With regard to part (b) of my question, "whether the work done by the former is by no means less than that of the latter either in quantity or quality", what is the answer?

The Honourable Mr. J. E. B. HOTSON : I think my answer is really sufficient. They give a full day's work; the work of one is probably not appreciably more or less than that of the other. As to quality of work, I do not think anything could be gained by making any invidious comparison between them.

Mr. JAIRAMDAS DOULATRAM : With reference to answer (c) which says "The Sub-Public Prosecutor at Karachi does not receive the pay of a constable munshi in addition to an office allowance", does he receive the pay of any clerk?

The Honourable Mr. J. E. B. HOTSON : He receives an office allowance and nothing else.

Mr. JAIRAMDAS DOULATRAM : Office allowance of Rs. 40 and nothing else?

The Honourable Mr. J. E. B. HOTSON : That is correct.

Mr. W. S. MUKADAM : Will Government be pleased to say how many cases each of them has conducted?

The Honourable Mr. J. E. B. HOTSON : We have not got those figures here. To get them should need an elaborate enquiry, which will be made if the honourable member gives notice.

RETRENCHMENT OFFICER

Mr. JAIRAMDAS DOULATRAM (Eastern Sind) : Will Government be pleased—

(a) to state whether they had appointed a special officer to report on the measures of retrenchment which might be carried out in the expenditure of the various departments;

(b) to place that officer's report on the Council table?

The Honourable Sir CHUNILAL MEHTA : The honourable member's attention is invited to the reply given to Mr. R. G. Pradhan.

PROVINCIAL CONTRIBUTION

Mr. JAIRAMDAS DOULATRAM (Eastern Sind) : Will Government be pleased to state—

(a) the amount contributed by the Bombay Presidency to the Government of India in the shape of (i) Income-tax, (ii) Super tax, (iii) Excess Profits tax during each of the years from 1922-23 to date;

(b) the amount received by them from the Government of India as its share of the above taxes.

The Honourable Sir CHUNILAL MEHTA : (a) As the question relates to the Central Government it can be asked and answered only in the Central Legislature.

(b) The amount received by the Government of Bombay from the Government of India as its share of the income-tax was Rs. 16,49,585 for the year 1922-23.

Mr. JAIRAMDAS DOULATRAM : Can the honourable member give figures for the subsequent years ?

The Honourable Sir CHUNILAL MEHTA : I believe it is zero.

Rao Saheb D. P. DESAI : Are not the Bombay Government receiving any special reports giving figures mentioned in question (a), income-tax super-tax, and such other taxes as the Government of India receive from this presidency ?

The Honourable Sir CHUNILAL MEHTA : I understand that we are not getting any special reports.

Rao Saheb D. P. DESAI : Then, does this Government get any general reports ?

The Honourable Sir CHUNILAL MEHTA : The only reports that Government receives are the reports that are published and are available to the general public.

Rao Saheb D. P. DESAI : Then, how does this Government know how much income-tax and super-tax is taken by the Imperial Government ?

The Honourable Sir CHUNILAL MEHTA : I do not suppose we have said that we do know.

Rao Saheb D. P. DESAI : This Government is quite ignorant how much income-tax is paid by this presidency to the Imperial Government ?

The Honourable Sir CHUNILAL MEHTA : This Government is ignorant in many matters (Laughter).

Mr. J. C. SWAMINARAYAN : Does not the report received from the Government of India contain figures of income-tax paid by the Bombay Presidency ?

The Honourable Sir CHUNILAL MEHTA : It will be found in the report.

CLERICAL APPOINTMENTS : FINANCE DEPARTMENT CIRCULAR

Mr. S. C. JOSHI : Will Government be pleased to state whether under Circular No. 3840 of 23rd July 1925 from the Finance Department, members of advanced communities are to be entirely excluded from Government employment till the percentage of clerical appointments between the advanced and the backward communities in a particular office is made up ?

The Honourable Sir CHUNILAL MEHTA : While there is no restriction on the recruitment of members of the backward communities beyond the prescribed percentages, should suitable candidates be forthcoming,

it is not the intention of Government that members of the advanced communities should be entirely excluded from recruitment irrespective of considerations of efficiency.

Mr. W. S. MUKADAM : Are we to understand from this that efficiency is to be considered at the time of appointment?

The Honourable Sir CHUNILAL MEHTA : What we are to understand is that there is a certain minimum that has been prescribed for the backward communities. Recruitment of those communities is by no means restricted to that minimum ; on the contrary, if more men are available, they will be appointed.

Mr. S. K. BOLE : Will Government be pleased to say whether they intend giving effect to the proposals made in the circular in question ?

The Honourable Sir CHUNILAL MEHTA : Yes ; I believe Government are carrying out the orders mentioned in this circular.

LABOUR UNION : BOMBAY GOVERNMENT PEONS AND MENIALS

Mr. S. C. JOSHI : Will Government be pleased to state—

(a) whether it is a fact that the Bombay Government Peons' and Menials' Union had asked for recognition by Government and that recognition was refused to the said Union ;

(b) if the answer to (a) be in the affirmative, the reasons why recognition was refused to the said Union ?

The Honourable Sir CHUNILAL MEHTA : The Government Peons and Menial Service Union, Bombay, has been recognised.

Mr. S. C. JOSHI : Will Government be pleased to state the date from which the Union has been recognised ?

The Honourable Sir CHUNILAL MEHTA : I am afraid I have not got the information. If the honourable member gives notice, I will give the information.

BOMBAY LEGISLATIVE COUNCIL : COMMUNAL REPRESENTATION

Mr. M. D. KARKI (Kanara District) : (1) Will Government be pleased to furnish the information in the following form regarding the percentage of representation of Hindus, Mussalmans, Parsis and Christians in the 1st, 2nd and 3rd Councils of the reformed Bombay Legislature.

Communities	The number of members belonging to the communities	The percentage of representation on the basis of their population
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(2) If the percentage of representation of Hindus is less than that of others, will they please state why is that distinction and what steps have been taken to bring it to the level of that of others ? If no steps have been taken, why ?

The Honourable Mr. J. E. B. HOTSON : (1) The information required by the honourable member for Kanara is given in the statement laid on the Council table.

(2) Except in the case of Muhammadans, representation is not given to Communities. Government do not propose to take any action in the matter.

STATEMENT

Communities					Number of members belonging to the communities	Percentage of representation on the basis of population
<i>1st Council</i>						
Hindus	..	..	..	..	47	·00031
Muhammadans	..	..	..	..	29	·00077
Parsis	..	..	..	..	8	·0097
Christians	..	..	..	..	9	·0034
<i>2nd Council</i>						
Hindus	..	..	..	..	50	·00033
Muhammadans	..	..	..	..	30	·00079
Parsis	..	..	..	..	5	·006
Christians	..	..	..	..	11	·0042
<i>3rd Council</i>						
Hindus	..	..	..	..	52	·00034
Muhammadans	..	..	..	..	29	·00076
Parsis	..	..	..	..	5	·006
Christians	..	..	..	..	9	·0034

CATHEDRAL HIGH SCHOOL, BOMBAY : FEES

Mr. M. D. KARKI (North Kanara District) : Will Government be pleased to state—

(a) whether their attention has been drawn to the allegations regarding the Cathedral High School, Bombay, appearing in the correspondence published in the *Indian Social Reformer* of 22nd May 1926, and in the *Bombay Chronicle* of 4th June 1926, page 8 column 2, and of 25th February 1926, page 9, column 2 ;

(b) whether that high school is a Government aided and University recognised institution ;

(c) whether it is a fact that Hindu students in the Cambridge Senior class in that high school are charged Rs. 25 fees each a month while European, Anglo-Indian and Parsi students are charged only Rs. 12-8-0 each per month ;

(d) whether this distinction is kept up with the knowledge and consent of Government in the transferred departments ;

(e) if so, what are the reasons for such racial distinction in such an institution and what are the reasons why Government have allowed such distinction for so long ?

The Honourable Mr. J. E. B. HOTSON : (a) Yes.

(b) Yes.

(c) All Indians (including Parsis) are charged double fees in accordance with the school regulations to which all parents and guardians agree in admitting their children.

(d) Does not arise.

(e) The school is a school intended for Europeans only and is governed by the Code of Regulations for European Schools in the Bombay Presidency. Under this Code, it can admit non-European children up to a maximum of 30 per cent. of the total number of students in the school. The grant given by Government to this school covers only one-third of the total expenditure of the school, and the money required to meet the remaining two-thirds is obtained entirely from European and Christian sources. The school has every right to refuse admission altogether to non-European children, and, if it chooses to admit such children, to charge what fees it likes. There are many other schools to which parents can send their children if they object to any of the conditions attaching to admission to this school.

MOULVI RAFIUDDIN AHMAD : Do I understand that the European aided schools follow the same rules as to receiving of subscriptions or contributions as the Grant-in-Aid Code prescribes, or are the rules different for giving grants to the European schools ?

The Honourable Mr. J. E. B. HOTSON : As far as I know, the rules regarding grants are the same.

MOULVI RAFIUDDIN AHMAD : Then, is the honourable member aware that no aided institutions which receive grants can refuse admissions to any persons of any community ?

The Honourable Mr. J. E. B. HOTSON : Well, in this respect there must be some difference. I have not gone into that point, because the schools are acting within the conditions under which they get the grants.

MOTOR VEHICLES IN THE PRESIDENCY

Mr. M. D. KARKI (Kanara District) : Will Government be pleased to state—

(a) the number of Motor vehicles (cars, buses and cycles) excepting those which were kept in the godowns or shops for sale as it stood on the first day of January 1922 and 1927 respectively (i) in each of the districts of the Presidency, (ii) in the Island of Bombay and its suburbs, and (iii) in Sind ;

(b) how many of them were public and private respectively ?

The Honourable Mr. J. E. B. HOTSON : Government regret that they are unable to furnish the information, since cars may be used in any part of India irrespective of the place of registration.

RETRENCHMENT OFFICER : MAHOMEDANS AFFECTED

Khan Saheb A. M. MANSURI (Ahmedabad District) : Will Government be pleased to state—

(a) the number, designation and pay of Mahomedans in the Revenue, Police, Judicial, Educational and Excise Departments who will be affected by the retrenchment that will be put into force on account of the inquiries of the retrenchment Officer ;

(b) whether they are aware that all the Mahomedans taken into service since the last two years in all the Departments, on account of

the decision of the Government to fill up 50 per cent of the posts by persons belonging to backward classes and Mahomedans, will be the first prey to the Retrenchment thereby nullifying the above Resolutions?

The Honourable Sir CHUNILAL MEHTA : The information is not yet available.

POLICE CONSTABLES : DAILY ALLOWANCES

Sardar G. N. MUJUMDAR (Deccan Sardars and Inamdars) : Will Government be pleased to state—

(a) whether a police constable gets a daily allowance of four annas every day when he goes out five miles away from his post?

(b) Whether a prisoner, when arrested, gets a daily allowance of four and a half annas?

(c) If so, the reasons for this difference?

The Honourable Mr. J. E. B. HOTSON : (a) Yes.

(b) No.

(c) Does not arise.

Sardar G. N. MUJUMDAR : With regard to answer to (c), may I know the amount of allowance which is paid to a person when he is arrested?

The Honourable Mr. J. E. B. HOTSON : No person gets any money when he is arrested.

Mr. K. S. FIRODEA : Is no bhatta paid?

The Honourable Mr. J. E. B. HOTSON : No. He is given rations.

Mr. K. S. FIRODEA : What is the cost of those rations?

The Honourable Mr. J. E. B. HOTSON : In the neighbourhood of 4½ annas.

I. C. S. : INDIAN OFFICERS

Mr. W. S. MUKADAM (Panch Mahals District) : Will Government be pleased to place on the Council table a statement showing how many Indian officers of the Indian Civil Service are serving in the judicial branch of the Bombay Presidency, and giving the following information :—

1. The name of the officer.
2. Degree.
3. Designation.
4. How long he has been in the service.
5. How long he has been in the Judicial Department.
6. Where is he posted at present.
7. What is his pay.

The Honourable Sir CHUNILAL MEHTA : A reference is invited to the "Bombay Civil List" which is published every quarter and to the "History of Services" which is published every year.

CIVIL COURTS IN RATNAGIRI : ABOLITION

Mr. B. R. NANAL (Ratnagiri District): Will Government be pleased to state—

(a) whether they intend to abolish any of the civil courts in the District of Ratnagiri;

(b) if so, which courts;

(c) whether they have consulted public opinion in the matter;

(d) if not, whether they intend to consult the public concerned before arriving at any decision in the matter?

The Honourable Mr. J. E. B. HOTSON: (a) to (d) No such proposal is at present under the consideration of Government.

GOVERNMENT SERVANTS : PERIOD OF EMPLOYMENT AT ONE STATION

Mr. SHANKARRAO JAYARAMRAO ZUNZARRAO (Thana and Bombay Suburban Districts): Will Government be pleased to state—

(a) whether there is a rule that no public servant, serving whole time and receiving salary from Government, shall be allowed to work at one and the same station for more than 5 years continuously;

(b) if not, whether such a rule was in force some years ago;

(c) if the reply to (b) is in the affirmative, why and when was it deleted or cancelled;

(d) if the answer to (a) be in the affirmative, whether it is enforced strictly;

(e) the names of Gazetted Officers in the Northern Division who have been stationed continuously at one place for more than five years?

The Honourable Sir CHUNILAL MEHTA: (a) and (b) There is not, nor has been any general Government order limiting continuous service in one station to five years.

(c) and (d) Do not arise.

(e) The labour involved in compiling the statement would be considerable and, in view of the answer to (a), appears to be unnecessary?

NEW PENSION RULES

Mr. SHANKARRAO JAYARAMRAO ZUNZARRAO (Thana and Bombay Suburban Districts): Will Government be pleased to state—

(a) whether they intend to introduce any improvements in the present pension rules relating to Government servants;

(b) if so, what improvements and when?

The Honourable Sir CHUNILAL MEHTA: The rules are at present under consideration.

PAY OF PEONS

Mr. SHANKARRAO JAYARAMRAO ZUNZARRAO (Thana and Bombay Suburban Districts): Will Government be pleased to state—

(a) whether the question of revising pay of peons, menials, etc., in Revenue and other Departments is under the consideration of Government?

(b) If so, what will be the minimum pay?

The Honourable Sir CHUNILAL MEHTA : (a) General orders in connection with the revision of pay of peons, menials, etc., in revenue and other departments were issued in 1921 and the departments have already revised the pay of these servants in accordance with those orders. There is now no question under consideration for further revising their pay.

(b) Does not arise.

Mr. N. A. BECHAR : Will Government be pleased to consider the question of fixing some minimum pay equivalent to a living wage and also the index number in fixing a certain amount of salary which every one requires in order to be able to live ?

The Honourable Sir CHUNILAL MEHTA : I understand the question to be whether the pay now given is less than the minimum pay that ought to be given according to the index number. I do not believe that this pay is regulated by the index number and I am afraid I do not see how it can.

TALATIS' TRAVELLING ALLOWANCE

Mr. H. B. SHIVDASANI (Surat District) : Will Government be pleased to state—

(a) whether the Talatis of villages are given travelling allowance when they are called away from their *saza* on Government work ;

(b) if they are given such allowance what is the scale of this allowance ;

(c) if they are not given such allowance what are the special reasons for not giving them travelling allowance ;

(d) in that case have Government considered the desirability of giving them such allowance ;

(e) if so, what decision have they arrived at ?

The Honourable Mr. J. L. RIEU : (a) Yes. They are allowed travelling allowance when they are called away from their *saza* beyond the jurisdiction of the taluka or mahal in which they are working. But they are not given such allowance when they are called away from their *saza* on Government work within the limits of such taluka or mahal. The only exception to this rule is that of the talati of Sheve *Saza* in the Uran mahal of the Panvel taluka, district Kolaba, who is allowed actual travelling expenses not exceeding Re. 1 for journeys by boat to and from the island of Elephanta.

(b) The scale of daily allowance, when admissible, is 8 annas per day and the rate of mileage is 2 annas per mile.

(c) Their sphere of duty is the taluka or mahal in which they serve, and their pay has been fixed so as to include the cost of travelling within that sphere ;

(d) and (e) The question of giving travelling allowance to talatis when called away from their *sazas* on Government work was fully considered and was negatived by Government in the year 1913.

Sardar G. N. MUJUMDAR : May I know whether the rules in question are applicable to talatis who work in the inam villages also ?

The Honourable Mr. J. L. RIEU : I do not think there is any difference, but I am not certain on the point. However, if the honourable member will give me notice, I will make enquiries.

PAY AND PENSION OF PEONS

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) whether they are aware that there is great dissatisfaction among the peons of Government offices, as regards the inadequacy of the pay received by them ;

(b) whether it is a fact that there are no grades in their services and that there is insignificant difference between their initial and final pay ;

(c) whether it is a fact that they are not given pensions at the rate of half pay and that they get only Rs. 4 per mensem as pension which is hardly sufficient to keep them alive in their old age ;

(d) whether complaints have been made by the peons to Government against the inadequacy of pay given to them ;

(e) if so, what action Government have taken in the matter ?

The Honourable Sir CHUNILAL MEHTA : (a) and (d) Applications for increased pay are received from time to time from all Government servants, including peons.

(b) A statement is placed on the table showing the grades and pay of peons in different parts of the Presidency.

(c) The retiring pension for peons is fixed at present at Rs. 6 per mensem. Amendment of the pension rules is at present under the consideration of Government.

(e) The present pay of Government peons compares favourably with the pay of peons in the offices of local bodies and of many private firms. The temporary and provisional allowances given to peons during and after the war have now been converted into permanent pay : and this will be taken into consideration when determining the new rate of pension.

Statement showing the grades and pay of peons in different parts of the Presidency

Designation					Rates of pay	Remarks
I. BOMBAY CITY					Rs.	
Petty Officers—						
1st grade	25	} In addition they draw Rs. 7 per mensem as house-rent allowance or are provided with free quarters.
2nd grade	..	..	..	..	24
Peons—						
1st grade	..	..	..	..	22
2nd grade	..	..	..	..	21
3rd grade	..	..	..	..	20

Designation	Rates of pay	Remarks
II. PRESIDENCY PROPER		
	Rs.	
Taluka peons—1st grade	15	In the Northern Division at Ahmedabad City, and Camp, Bandra, Salsette, Bassein and Palghar peons draw also a local allowance of Rs. 1.
2nd grade	14	
Huzur peons—1st grade	16	
2nd grade	15	
Naiks	18	
Collector's Havildar	20	
Commissioner's Havildar	21	
Boy peons in the Central and Southern Divisions—		
1st grade	10	
2nd grade	9	
Boy peons in the Northern Division—		
1st grade	12	
2nd grade	11	
(i) Poona City		
Boy peons	11	
Audit peons—		
1st grade	19	
2nd grade	18	
Naiks	20	
Collector's Havildar	22	
Commissioner's Havildar	23	
III. SIND		
Commissioner's Office—		
Jamadar	30	In Karachi peons and petty officers draw in addition Rs. 4 house-rent allowance and Rs. 2 local allowance. At Hyderabad and Mirpurkhas peons and petty officers draw house-rent allowance of Rs. 3 and a local allowance of Rs. 1 per mensem. At other places in Sind they draw a house-rent allowance of Rs. 2 per mensem.
Chobdar	25	
Havaldar	24	
Naik	21	
Peons—		
1st grade	19	
2nd grade	18	
3rd grade	17	
Other Offices—		
Havaldar	21	
Naik—		
1st grade	20	
2nd grade	18	
Peons—		
1st grade	18	
2nd grade	17	
3rd grade	16	

Mr. G. I. PATEL : With reference to answers to (a) and (d), may I know whether applications for increase in salaries have been received from the Secretaries, Deputy Secretaries and Assistant Secretaries and also the Honourable Members ?

The Honourable Sir CHUNILAL MEHTA : I have not yet got them but I do not give up hope (Laughter).

Mr. N. A. BECHAR : With regard to answer to (c), will Government be pleased to arrive at speedy conclusions on this question ?

The Honourable Sir CHUNILAL MEHTA : Yes.

Mr. S. K. BOLE : Do Government think Rs. 6 is sufficient for the maintenance of the peon and his family in his old age ?

The Honourable the PRESIDENT : That is asking for an opinion.

Mr. J. C. SWAMINARAYAN : Do Government consider that these peons, when they retire from service, must work somewhere else in order to earn something to be able to live ?

(No answer.)

The Honourable the PRESIDENT : The question has been understood but the Honourable the Finance Member does not care to reply.

The Honourable Sir CHUNILAL MEHTA : I do not want the honourable member to think that I do not wish to reply to his question, but I really do not know what he really means. As a matter of fact most peons do not retire until they are more or less past work.

Mr. S. K. BOLE : As regards (c), if Government thinks that Rs. 6 is insufficient for the maintenance of the family of a peon, will they hurry the matter of increasing the pension of the peons ?

The Honourable Sir CHUNILAL MEHTA : Whatever Government may think, I have already stated that the question is being gone into.

Mr. J. C. SWAMINARAYAN : If, when they are past work, peons retire, do Government think that Rs. 6 will be enough for them to live ?

(No answer.)

Dr. B. R. AMBEDKAR : Do not Government think it necessary to institute a provident fund for peons as in railways and other public bodies ?

The Honourable Sir CHUNILAL MEHTA : I cannot follow the question. There is no institution which maintains a provident fund and pays pension as well.

Dr. B. R. AMBEDKAR : In lieu of pension.

The Honourable Sir CHUNILAL MEHTA : We are considering that question.

Mr. S. K. BOLE : Are Government aware that the Imperial Bank and private banks and firms pay to their peons salaries of Rs. 40 and Rs. 50 a month ?

The Honourable Sir CHUNILAL MEHTA : Government have made enquiries of many firms in Bombay, also banks, and they find that the rates paid by Government are higher than those paid by private firms on the average.

Mr. S. K. BOLE : Have enquiries been made of the Imperial Bank ?

The Honourable Sir CHUNILAL MEHTA : Yes. Their answer has been received.

NEW PENSION RULES

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) whether they are framing new rules for pensions to Government servants :

(b) whether they have received representations from Government servants, requesting the substitution of a provident fund system with a gratuity in lieu of a pension ;

(c) if the answers to (a) and (b) are in the affirmative whether those representations will be considered at the time of framing new pension rules ?

The Honourable Sir CHUNILAL MEHTA : (a) (b) and (c) Yes.

The Honourable the PRESIDENT : Government Bills.

**BILL No. VI OF 1927 (A BILL FURTHER TO AMEND THE
BOMBAY CITY MUNICIPALITIES ACT, 1925).**

The Honourable Dewan Bahadur HARILAL D. DESAI : Sir, in the absence of my honourable colleague the Minister for Local Self-Government I introduce Bill* No. VI of 1927 a Bill further to amend the Bombay City Municipalities Act, 1925.

I now move for the first reading of the bill and in doing so let me state that this bill has become necessary on account of certain difficulties which have arisen with reference to certain municipal boards which were included in the schedule to the Bombay City Municipalities Act, XVIII of 1925. Honourable members are aware that under section 17 of the District Municipal Act, the term of a municipality is three years and it is extensible to one year more. In the same way under section 24 of Act XVIII of 1925, the ordinary term is three years and it is extensible to a year more, and section 9 of the Act further provided that municipalities which were constituted under the District Municipal Act when they came under the jurisdiction of Bombay Act XVIII of 1925, the councillors either elected or nominated who were on the board would continue to do so for the term for which they were appointed under the old Act. Time was given to the city municipalities included in Schedule II of Bombay Act XVIII of 1925 in order that they may go through the various formalities which were required under section 10 for preparing electoral rolls for Muhammadans, non-Muhammadans, the depressed classes and others. But certain municipalities failed to do so within the time allowed. Certain other municipalities were given extensions but they did not at all conform to the provisions of section 10 and held fresh elections without conforming to the provisions of section 10. When that matter came up to the notice of Government they said on the advice of their legal advisers that the elections which were held were invalid and this matter was noticed after the term of those municipalities had expired. Consequently some measure was necessary in the case of municipalities whose term was expiring or was likely to expire without their being able, for want of time, to conform to the formalities required to give them time and, in the other case, whose time had already expired their acts required to be validated. Also in Act XVIII of 1925 there was, by oversight, no provision, where a municipality had ceased to exist for one reason

*Appendix 5.

[Dewan Bahadur Harilal D. Desai]

or another, as to in whom the property was to vest. The Dharwar municipality and also the Bhusaval and Nasik municipalities were concerned in these cases. The Dharwar municipality was constituted on the 1st of May 1923 and its term expired on the 30th of April 1926 but its term, under the District Municipal Act, was extended to 30th April 1927. The Bombay Act XVIII of 1925 came into force on the 8th of June 1926, but on account of some misconception the Dharwar municipality was not able to go through the formalities required by section 10 of the Act; they required more time, because they could not prepare the electoral rolls and publish them six months before the elections were held. Consequently, it was found necessary to extend the date up to the 31st December 1927, and for that purpose power is proposed to be taken by this bill. Then, in the case of the Bhusaval and Nasik municipalities, their term expired originally on the 30th of June 1926, and an extension of six months was given to them, that is up to 30th December 1926. According to Act XVIII of 1925, they were required to go through the formalities under section 10 of the Act, but they thought that their old election rules would suffice, and though Government warned them, they held their elections. The Bhusaval municipality held its election on the 8th of November, and the Nasik municipality on the 25th of November 1926. But these elections, as they did not conform to the provisions of section 10 of the Act, were declared invalid both by the Remembrancer of Legal Affairs and the Advocate General, and when the question came up, even their term had expired on the 30th of December 1926. Consequently, it is necessary that the members elected by those elections must vacate and new elections should be held. After the term of these two municipalities had expired, what was to be done with reference to their property was also a question to be considered. On that account, a clause has been introduced in this bill that the property may vest in His Majesty, until the municipal area is constituted afresh.

I might at this stage say, with reference to the preamble of the bill where it is stated "whereas the previous sanction of the Governor General required by section 80A (3) of the Government of India Act has been obtained for the passing of this Act" that it was considered by Government that such sanction was necessary and therefore this was inserted. But the Government of India have advised that there was no necessity for such sanction, and therefore that part of the preamble will have to be omitted at a further stage.

These are the facts relating to this bill. It is only intended to adjust the matter with reference to expiring and expired municipalities, and to take power for that purpose. I therefore request the House to allow the first reading of the bill.

The Honourable the PRESIDENT : Bill No. VI of 1927, a Bill further to amend the Bombay City Municipalities Act, 1925, is duly introduced and proposed to be read a first time.

Rao Sahab D. R. PATIL (East Khandesh District) : Sir, I rise to support the first reading of this bill, but I want to bring to the notice of

[Rao Saheb D. R. Patil]

the Government that it is not the duty of a municipality to frame rules under section 10 of Act XVIII of 1925. Section 10 says :

- " The Government shall, from time to time, generally or specially for each municipality—
- (a) determine the number of councillors ;
 - (b) fix, subject to the provisions of section 9, the proportion of the councillors, if any, who shall be nominated ;
 - (c) make rules consistent with this Act prescribing the number of councillors to be elected, the number of wards to be constituted for Mahomedans, non-Mahomedans and depressed classes in each municipal borough, the extent of such wards and the number of councillors to be elected by each ward, providing for the preparation and revision of the lists of voters from time to time, fixing the date after which no application for enrolment in any such list under preparation or revision shall be received, declaring the number in which the right to vote of any undivided family, or any company or firm, or any other association or body of individuals or any trustees of any building or land being two or more in number entered in such list, may be recorded and exercised, and prescribing the restrictions, if any, on the number of votes which a voter may give ; determining the manner in which and the authority by whom any objection to such lists in regard to the names entered therein or omitted therefrom may be heard and decided, and to what judicial authority the appeals as to such entries and omissions shall lie ;
- prescribing the date for the publication of the Municipal Election Roll. "

The section lays down some other things also. From this section it will be seen that the duty of framing the rules devolves on the Government. The Government ought to have asked the municipalities to furnish such information on the basis of which they ought to have framed the rules. In the case of the Bhusawal municipality I want to bring to the notice of this House and especially of Government that the municipality acted *bona fide* and the elections were actually held. Under the new act two changes have been made. The first is that the new Act extended the franchise and the second change is the formation of a constituency for the depressed classes. These are the only two changes which have been made under the new Act. So far as the Bhusawal municipality was concerned the electoral roll was prepared on the basis of the extended franchise but no constituency was formed for the depressed classes. I have already said that it was not the duty of Government to frame rules, and that it was also their bounden duty to ask the municipalities to furnish to them all necessary information on the strength of which these rules ought to be framed. Be that as it may, there was as a matter of fact no ward constituted for the depressed classes in the city municipality of Bhusawal. Naturally then a correspondence went on between the president of that municipality and Government, who wrote to them that the important provisions of the Act had been observed, namely that the electoral rules were observed on the basis of the extended franchise and that no separate constituency was formed for the depressed classes, as it was not required for want of an adequate number for the formation of a separate constituency. If Government had made use of the Explanation to section 10, which reads as follows, no difficulty would have arisen :

" The depressed classes for the purposes of this section shall be one which in the case of Government is depressed classes and that if the number of ward is sufficient to require representation there shall not be more than one ward for all such classes combined. "

Looking to the case of the Bhusawal municipality it did not consider that there was a sufficient number of depressed classes to constitute a

[Rao Saheb D. R. Patil]

separate ward. So, that defect, if it was one, might be remedied by Government by having recourse to Explanation to section 10, which I have just alluded to. In short, Sir, my submission is that the election of the Bhusawal municipality has taken place, the electoral roll was published, the Collector fixed the date for election, Government actually published the list of elected members in the Government Gazette and also nominations were forwarded by the Collector to the Commissioner, who in his turn submitted them to Government. Non-compliance with the rules under the new Act was discovered perhaps in the Secretariat, from where correspondence showing the illegality of the Bhusawal municipality election was opened and sent to the municipality, and still correspondence is going on. My submission is that, wherever a municipality has carried on its elections in conformity with the spirit of the new Act, that is, with the extended franchise, and considered and decided as to the formation of a separate constituency for the depressed classes according to the sufficiency of the number to constitute a separate ward, Government should validate such elections.

The same is the case so far as the Nasik municipality is concerned. I think that municipality has got a stronger case than the Bhusawal municipality, because the rules were framed and forwarded to Government to the effect that the number of the depressed classes is not sufficient to constitute a separate ward. So, after all these formalities have been gone through, I think in the case of the Nasik municipality, Government can declare the election valid by applying explanation to section 10. Further I should like to suggest that this bill be referred to a select committee or, if it is not to be referred at all, Government can validate these elections that have already taken place in conformity with the provisions of the new Act by inserting a proviso to that effect, which will serve the purpose of the various municipalities which have already held their elections.

Rao Saheb R. V. VANDEKAR (Nasik District) : Sir, Nasik is one of the municipalities affected by this bill and I am sorry that I have to oppose this bill as I come from Nasik district rural constituency. The municipality had tried as the correspondence in the matter would show, to ascertain the wishes of the Government in the matter, they had brought to the notice of the authorities concerned, the fact, that the number of depressed class voters was extremely small, compared to their actual population, and sought the advice of Government as to how the constituency should be made really representative. The municipality had also suggested to increase the number of seats in the municipal Council, so that it should be possible to make adequate provision for the representation of the depressed classes in the municipalities. Unfortunately Government failed to tender timely advice in the matter. Government therefore are primarily responsible for any slight irregularity that might have happened later on.

Sir, we must take a practical view rather than a technical view of the whole matter. The municipality and the voters have carried out the election in good faith, a good deal of money has been spent, and it is cruel

[Mr. R. V. Vandekar]

that Government should try to inflict another election and all the expenses and trouble it must involve upon Nasik.

If Government can move one validating bill they could certainly move another that were more convenient and causing less hardship to the municipality and the electors.

Mr. C. W. A. TURNER : Mr. President, in the first place, I wish to reply to the point raised by the honourable member Rao Saheb Patil. I invite the attention of the honourable member to section 11 of the old Act of 1901. The wording of that section is identically the same as that in Act XVIII of 1925. As one having considerable experience he is well aware that the regular procedure is that the municipalities submit their draft rules to Government for their approval. The local bodies now concerned have failed to submit their draft rules to Government for their approval. Under sub-clause (2) of section 10 it is provided that draft rules should be framed and approved by the local bodies before the rules can be sanctioned by Government.

Then, as regards the point raised by my honourable friend Rao Saheb Vandekar with respect to the depressed classes, I may point out to him that it is not quite correct to say that the number of depressed class voters in Nasik is altogether inadequate to justify one member for them. The non-depressed class voters number about 7,400 in Nasik and they return 32 members, that is to say 1 for every 228 voters. There are 150 depressed class voters ; therefore 1 member for 150 depressed class voters, would not, I think, in the opinion of this House, be excessive.

Mr. N. A. BECHAR : Population is a better criterion than number of voters.

The Honourable the PRESIDENT : Order, order. No arguing across the table please.

Mr. C. W. A. TURNER : The present impasse was I think due to a genuine misunderstanding on the part of the municipalities. They took section 5, (1), (b), viz.,

" any appointment, notification, rule....so far as is not inconsistent with the provisions of this Act..... shall continue in force and be deemed to have been made, issued or imposed under the provisions of this Act.....unless and until it is superseded by any appointment, notification.....made or issued under this Act "

as legalising their rules framed under the old Act and failed to realise that under section 10, (1), (c) of the Act of 1925, new rules must be framed and approved by Government. Some of the local revenue authorities were also equally united by section (1), (b), with the result that when the facts came to the notice of Government it was too late to rectify what had happened, and the only way was to bring in this amending bill.

I would ask honourable members to consider what would be the practical result if this bill is not passed immediately. The practical result would be that these municipal areas would have to be again notified as municipal areas under the Municipal Act of 1901 ; that will take three months. They will again have to be notified under Act XVIII of 1925.

[Mr. C. W. A. Turner]

That will take another 3 months. We will then have to frame the rules, and it will take ten months in all to bring the new Act into force.

I may inform the honourable House that I propose to move a small amendment at the second reading.

Mr. N. A. BECHAR (Karachi City) : Sir, I would not quarrel with my honourable friend the Minister for Local Self-government when he is trying to get out of the mess which has been made, either by laxity on the part of the municipalities or on the part of the Government. But I would like to bring home to Government one point with regard to the remarks of the honourable member Mr. Turner. I am entirely opposed to the idea of dividing the municipalities into various sections, but if Government are proposing to allot seats on a communal basis, I would submit to them that mere voting strength of a particular community should not be taken as the criterion in allotting seats to that community in the municipality. The true criterion for representation should be the population. I hope the Honourable Minister in charge of Local Self-government will see that communities get representation according to their numerical strength as judged by population and not as judged by the voting strength and that the depressed classes will be given their full representation according to their numerical strength.

Mr. R. S. ASAVLE : Mr. President, I am not going to oppose the first reading of the bill that has been moved by the Honourable Minister, but I want to bring to the notice of the honourable House that the mistake was not detected until after three municipalities had held their elections, and spent money on them. It was only after that, that the Legal Remembrancer was referred to and he held that the elections were illegal. Whose fault was this ? Was it the fault of the candidates who contested the elections, or the fault of the authorities who gave permission for the elections ? I want to ask the Honourable Minister whose fault it was that the permission was granted. First of all the municipalities were permitted to hold their elections, and as permission was given for holding the elections, the elections ought to have been taken as valid. Only after the names of elected candidates were published in the *Government Gazette* and the question of nomination came up, the question of validity cropped up. What about the candidates in those municipalities who went through the elections ? Are they to suffer and stand again, although they have been elected once ?

I do not grudge Government giving representation to the depressed classes, although other members have taken objection to it. I would never object to that. The depressed classes must be given separate election ; as they are not educated people they would not be elected by other communities. As long as the depressed classes are kept illiterate they should be given separate election, although I agree with the honourable member Mr. Bechar that there should be no separate electorates for educated communities.

As regards the municipalities who have held their elections, the argument I have urged should be taken into consideration and those who

[Mr. R. S. Asavle]

have suffered expenses on elections should be compensated if their election is taken as invalid.

Mr. BALAK RAM : Sir, I beg leave to support the first reading of this bill. My honourable friend Mr. Turner has gone into the merits of the bill, and I have very little to add on that topic ; but I may say a few words on the legal aspects of some of the questions placed by the honourable members opposite. It was suggested that the elections in Nasik and Bhusaval, having been held more or less with the knowledge of Government, should now be declared to be valid, even though they may have been invalid. It was also suggested that, the muddle being due to the fault of Government and not of the electors or of candidates, the candidates should not be put to the fresh expenses of fresh elections. If Government had authority to validate the elections, they would have been quite ready to do so. We do not want to undergo the trouble of reviving dead municipalities, and if the municipalities could have lived on without assistance from Government, we shall be only too pleased. But unfortunately we did not learn of the elections until after the 31st December, by which date the term of the municipalities had expired and they were legally dead. When the matter was referred to the Legal Department I gave my opinion that the municipalities being no longer alive, it would not be possible to give retrospective extension of their term. Later on, it was represented to me by two honourable members, Rao Saheb Vandekar and Mr. Jadhav, that my view of the law was wrong. We then consulted the Advocate General and he unfortunately agreed with me, and the result was that we had two legal opinions to the effect that the municipalities had expired and that retrospective extension of term could not be given. It is possible that both of us are wrong. Unfortunately our opinion is there, and if Government had not accepted it, there was the possibility of a civil suit by a taxpayer who did not wish to pay taxes. The suit may or may not have been decided in favour of the plaintiff, but it would have been fought out in the sub-court, or district court, or a High Court and (possibly) the Privy Council, and there would have been waste of money and time. Government have therefore decided to bring this small bill before this Council taking power to give retrospective effect to a notification issued within a certain time, and extending the term of a municipality. I trust, Sir, that the honourable members will pass this simple bill which is really in the interest of the municipalities concerned.

As regards the trouble and expense which the candidates have unfortunately undergone, I submit that that question cannot be raised on this bill. If any honourable member thinks that the candidates should be paid out of the general funds the money they have spent on the invalid elections, he should find a way of getting this House to agree to that course : but on this bill, I am afraid, this point cannot be discussed at all.

The other provisions of the bill are non-controversial and call for no remarks.

MOULVI RAFIUDDIN AHMAD (Central Division) : I rise to support the first reading of this bill. I am sorry to find that my honourable

[Moulvi Rafiuddin Ahmad]

friend, the Member for Local self-Government, is not here owing to illness, but I hope that he will before long resume his place. I, sympathise with the Honourable Minister for Education in his endeavours to act for his colleague during his illness.

I also sympathise with my friend the Legal Remembrancer, Mr. Balak Ram, and entirely agree with him in the view he has expressed with regard to the deficiency of law usually attributed to legal officers. It is quite in conformity with the opinion of Lord Erskine who said that there was one class of His Majesty's subjects who do not always know what the law is and that is His Majesty's Judges. But I am amused to find that even the members who do not belong to the profession of law also come forward and give legal advice to Government. My honourable friend, Rao Saheb Patil, I think, is the president of the Bhusaval Municipality.....

Rao Saheb D. R. PATIL : No, I am not.

MOULVI RAFIUDDIN AHMAD : I think he was.

Rao Saheb D. R. PATIL : No, I was not.

MOULVI RAFIUDDIN AHMAD : But this is certain that he is a very prominent member of the Bhusaval municipality, and I am sorry to find that this bill is opposed by him. It has already been explained that this will not in any way prevent any person from taking any steps with regard to the legality of law and, therefore, there is no objection for the House to pass this bill. I may say that the sooner this bill is passed the better it is for the voters concerned and also the Government. I, therefore, hope that this bill will find the support of this House.

Dr. M. K. DIXIT (Surat City) : Sir, I rise not to oppose the first reading of this bill. When I first read the draft bill I thought that this measure was not necessary at present. And I thought that Government had power to extend the life of the municipalities for about a year and that also with retrospective effect. We are just now told by the Legal Remembrancer that the municipalities cannot be resuscitated after their life had expired. I know that the human life and animal life cannot be resuscitated, but I have never heard of a municipality which cannot be resuscitated. As I understand, Sir, that members of legal profession on the non-official side are of opinion that the municipalities could be resuscitated, but the Legal Remembrancer has thought it differently, and he has also got the support of the Advocate General. I know the opinions held by the Remembrancer of Legal Affairs have often differed from those held by the Advocate General. But in this particular case they seem to be agreed. And we shall have to follow the legal opinion in this case and instead of opposing this bill, in order to get out of the difficulty, it is better to allow this bill to go through.

Some reference was made with regard to the election rules by the honourable member for Nasik. He complained that Government allowed the election to go on and members had to suffer a lot of inconvenience and trouble and also expenses. And the Corporation must have incurred some expenditure for holding the election. It is unfortunate if

[Dr. M. K. Dixit]

that is the case. So far as I know the rules of election are drafted by the Corporation considering the wording of the section of the Act. And it is the Government that really sanction rules. The practice adopted is that the corporation is asked to submit their rules to the Government and the Government pass them with some modifications, if found necessary.

As regards the representation of the depressed classes, I may state that we cannot remove this representation which has been made legal under the new City Municipalities Act, and I would suggest that the corporation should start the work of framing new election rules. We cannot set aside anything that is contained in the present Act which is in force. Under the new Municipal Act there is a seat reserved for the depressed classes and accordingly the election rules should be framed.

One more point I want to deal with and that is the one raised by the honourable member for Karachi. I entirely agree with him that the communal representation should be calculated not in the proportion of voters, but in proportion of population. Where there are only 125 or 127 voters, question of any representation does not depend upon the number of voters at all. Because it is quite likely that the population must be much more than the number of voters. It is quite likely that the population of depressed classes is much greater than the number of voters, and separate representation for depressed classes has to be provided for. I do not think I need add much to what I have already said, but I would advise the House not to oppose the bill. If this bill is opposed and thrown out, it would mean that the elections of the Nasik municipality or other municipalities which have been held illegal or may have been declared invalid, will have to stand over and the towns will have to go without any corporation. That will be a loss to the public. I would, therefore, ask the House to accept the bill.

Mr. H. L. PAINTER : Sir, I do not think there is going to be much opposition to this bill. But at the same time, I should like to make a few remarks. This bill is necessary for the benefit of the municipalities of the Central Division where the elections were actually held and have now been found to be invalid. But there are some other municipalities, for instance Dharwar in the Southern Division which have not yet prepared their rules for holding the elections, although the authorities, either the Government or the Commissioners, have extended the term of these municipalities to the fullest extent which the existing law allows. I may say that I am always against extending the term of any municipality, but in this case it does seem the only way which is feasible, and none of the considerations which have been argued in opposition to the bill on the ground that the elections have actually taken place, apply to the particular case of Dharwar.

The Honourable Dewan Bahadur HARILAL D. DESAI : Mr. President, as the honourable members on this side of the House as well as on the other side have made their remarks, there is very little for me to reply. We need not go into the question of apportioning blame as to who was at fault. But this much is certain that at an earlier stage Government asked the Commissioners to send up draft rules and the Commissioners

[Dewan Bahadur Harilal D. Desai]

in their turn asked the municipalities in their charge to do so. In spite of that, the elections at Bhusawal and Nasik were held, and the case of Dharwar is as has been stated by the Commissioner of that division. If you do not pass this measure as early as possible, the ratepayers may at any time go to the court and there may be difficulties and unnecessary expense. I therefore request the House to permit the first reading of this bill.

Bill read a first time. Question put and carried.

The Honourable Dewan Bahadur HARILAL D. DESAI : Sir, I move that the bill be read a second time at once, as it is a very emergent measure.

Second reading.

Question proposed.

Rao Saheb D. R. PATIL (East Khandesh District) : Mr. President, I would like to request Government to validate elections of some municipalities which have been declared to be invalid provided Government are satisfied that those municipalities have complied with the provisions of having their electoral rolls prepared under the extended franchise, and that the formation of a depressed class ward was not formed not intentionally, but because the number of depressed classes was so very small as not to require a separate representation under clause 10. I think if Government is pleased to validate those elections which have already taken place, I think everything will be all right. The present bill is quite necessary, there is no doubt, because it validates those Acts which were necessarily illegal. I do not quarrel over passing this bill as early as possible, but my submission to Government is that if they are prepared to add this proviso to clause 4 of this bill that whatever elections have taken place in good faith and where practically the spirit of the new Act has been substantially fulfilled, and where no injustice will be caused to any one, even to the depressed classes, then nobody will have to quarrel over the invalidity of elections that have already taken place. Nobody will fight against the passing of this bill as early as possible. Therefore, I submit, Sir, that the abovementioned proviso should be added. If Government are pleased to do that, I shall be very glad to know it from the Honourable Minister in charge, and I am waiting for a reply. If he is prepared to agree to my proposal, so much the better, or otherwise I shall be inclined to move that this bill be referred to a select committee to add that proviso.

The Honourable Dewan Bahadur HARILAL D. DESAI : I should have been very glad to meet the wishes of my honourable friend, but such a proviso is outside the scope of the Act and I therefore am unable to accept the suggestion.

Rao Saheb D. R. PATIL : May I just ask the Honourable Minister how that proviso can be inconsistent with the spirit of the bill ? Clause 4 says :

New section 21A.—After section 24 of the said Act the following section shall be inserted, namely :—

“ 21 (1) — *Validation of Acts of expired municipalities.*—Any municipality of a municipal borough included in Schedule I which has not been constituted in accordance with the

[Rao Saheb D. R. Patil]

provisions of this Act and the rules made thereunder shall, save where it is otherwise provided in this Act, be deemed not to have been duly constituted and its members, both elected and nominated, shall be deemed not to have been duly elected and nominated."

That goes to show, Sir, that this clause 4 is necessary to declare elections that have already taken place to be illegal. In the absence of clause 4 there was nothing in the Act itself which could hold elections already held to be illegal. The spirit of this bill does not stand in the way of accepting this proviso which I propose to be added to clause 4.

The Honourable the PRESIDENT: What is it that the honourable member wants to add to that?

Rao Saheb D. R. PATIL: That whatever elections have been held in the past by the municipal boroughs should be held to be legal, provided Government think that those elections were held in good faith by those municipalities and that they have substantially fulfilled the spirit of the new Act.

Dr. M. K. DIXIT (Surat City): Sir, I am unable to follow my honourable friend, the previous speaker.

Rao Saheb D. R. PATIL: Sorry.

Dr. M. K. DIXIT: I am really sorry that I have not been able to follow the honourable member. I cannot see how elections that have been held illegal by Government's legal advisers could be validated. If they are validated, it would mean that for three years to come from the date of the elections, the special representation which has been given to depressed and backward classes will have to go, and surely that is not a very fair treatment to be given to the backward and depressed classes.

An Honourable MEMBER: There is nomination.

Dr. M. K. DIXIT: Nomination though has not been removed, yet it is after all nomination. When once the right of election has been given by the Act we cannot go against that. Under the circumstances, I do not think it is possible to validate those elections, but I do wish that the members who have been elected will constitute a committee and work the corporation during the period of no election. Government will certainly want a committee to work the municipality during the absence of a regularly elected and duly constituted corporation. I hope that these elected members will continue to form the committee. I am in favour of the the second reading.

Mr. BALAK RAM: Sir, as regards the amendment which my honourable friend, Rao Saheb Patil, has suggested, I beg to say that I agree with the Honourable the Minister in charge that the amendment is not within the scope of the present bill. The present bill proposes to give Government authority to give retrospective effect to certain orders, and to prolong the life of some municipalities: but the amendment has nothing to do with this subject. It wishes to legalise elections which have been declared to be illegal. If the honourable member had brought in a separate bill, the bill would not have been out of order; but an

[Mr. Balak Ram]

amendment of the present bill along the lines suggested by the honourable member, Rao Saheb Patil, would I beg to suggest, not be in order.

MOULVI RAFIUDDIN AHMAD : Is there any amendment before the House, Sir ?

The Honourable the PRESIDENT : No, there is only a suggestion.

The Honourable Dewan Bahadur HARILAL D. DESAI : I do not wish to say anything further, Sir, beyond what has been said. I only want to add a word. In December 1926 Government pointed out to these municipalities that their elections were illegal. Their term was up to 30th December 1926. They could have applied for a further extension of six months. If they had an extension of six months more they would not have been in this position but they would have been in the position of the Dharwar Municipality. They omitted to do so and now they want a concession on the ground of *bona fides*, but I submit, Sir, that in view of the scope of the present bill nothing can be done and therefore the honourable House will, I hope, allow the second reading of the bill.

Rao Saheb D. R. PATIL : A word of personal explanation. The Honourable Education Minister says that if certain municipalities had applied for an extension of their lives, these difficulties would not have arisen. To my knowledge the Bhusawal city municipality did apply to get its life extended by six months, which was accordingly prolonged and during the prolonged life sanctioned by Government elections were held.

The Honourable Dewan Bahadur HARILAL D. DESAI : I may tell the honourable Rao Saheb that that application was made after the life had expired already and consequently we cannot infuse new life into a dead municipality.

Bill read a second time. Question put and carried.

Bill read Clause by Clause

Clause 1 (*Short title*) ordered to stand part of the bill.

Clause 2 (*Amendment of section 4 of Bom. XVIII of 1925*) ordered to stand part of the bill.

Clause 3 (*Amendment of section 24 of Bom. XVIII of 1925*) ordered to stand part of the bill.

Clause 4 (*New section 24-A*) ordered to stand part of the bill.

The Preamble

Whereas the term of office of certain municipalities to which the Bombay City Municipalities Act, 1925, applies has expired and no fresh elections have been held for the constitution of the municipalities in accordance with the provisions of the said Act ;

And whereas it is expedient to remove certain doubts which have been expressed as to the legality of any further extension under the said Act of the term of office of such municipalities and to validate the acts and proceedings of such municipalities done or purporting to have been done in good faith after the expiry of their term of office ;

And whereas it is expedient to amend the said Act in manner hereinafter appearing ;

And whereas the previous sanction of the Governor General required by section 80A (3) of the Government of India Act has been obtained for the passing of this Act ;

It is hereby enacted as follows :—

Mr. C. W. A. TURNER : Sir, the amendment which I wish to move reads as follows :—

Omit the following words from the last clause of the preamble :—

'And whereas the previous sanction of the Governor General required by section 80A (3) of the Government of India Act has been obtained for the passing of this Act.'

We have been informed that the previous sanction of the Governor General was not required, and therefore it was unnecessary.

The Honourable the PRESIDENT : The House is probably aware that the Honourable the Minister for Local Self-Government had also tabled an amendment to the same effect.

Question put and carried.

The Preamble, as amended, ordered to stand part of the bill.

The Honourable Dewan Bahadur HARILAL D. DESAI : I now

Third Reading. move, Sir, that the bill be read a third time.

Bill read a third time. Question put and carried.

The Honourable the PRESIDENT : The bill is read a third time and passed into law.

BILL No. IV OF 1927

A BILL TO AMEND THE CITY OF BOMBAY IMPROVEMENT TRUST TRANSFER ACT, 1925

The Honourable Dewan Bahadur HARILAL D. DESAI : Sir, I introduce Bill* No. IV of 1927 (A Bill to amend the City of Bombay Improvement Trust Transfer Act, 1925).

The Honourable the PRESIDENT : The bill is introduced.

The Honourable Dewan Bahadur HARILAL D. DESAI : I move
First Reading. that the bill be read a first time. The bill is a

short one and is intended to amend section 19 of the City of Bombay Improvement Trust Transfer Act of 1925. The Bombay Improvement Trust came into being in 1898 and last year this Improvement Trust Transfer Act was passed. By that Act the Bombay Municipal Corporation is constituted the General Board, and there is a committee and under the Committee there are sub-committees working. According to section 19 of the Improvement Trust Transfer Act, fees are provided at the rate of Rs. 30 for members of the committee attending the committee meetings and Rs. 15 for members of sub-committees. A resolution was passed by the Trustees at a meeting held on the 1st October 1926 and they proposed that the provision with reference to giving fees to members of sub-committees should be deleted from the section 19 of that Act. Consequently, this measure has been brought in and the honourable members must have found from the statement of objects and reasons that the bill is intended to give effect to the resolution of the board of trustees for the Improvement Trust of the city of Bombay that no fees be paid in respect of meetings of sub-committees. At this stage, I may further state for the information of the honourable House that after this Act came into force during the last ten months ending 31st January 1927, Rs. 10,560 were given as fees to members of committees. To members of the sub-committees during the same period the amount

[Dewan Bahadur Harilal D. Desai]

given as fees was Rs. 4,035. Now, as the Board of Trustees have themselves asked for the change, I submit that there should be no objection to giving effect to their desire by this bill. It is therefore that I commend this bill to the House for allowing the first reading thereof.

Question proposed.

Mr. HOOSENALLY M. RAHIMTOOLA (Bombay City): Sir, I am glad that Government are giving prompt attention to the resolution of the Board of Trustees, and I hope that Government will follow this example in future and give effect to every resolution of the Board of Trustees as promptly as they are doing in the present case. Sir, in the statement of objects and reasons the only reason mentioned is that the Board of Trustees have passed a resolution asking Government to amend the Act, and Government have not given any reasons for bringing forward this amending bill and for the desirability of amending the Act. I hope Government, in future, will similarly give effect to the resolutions of the Board of Trustees.

Coming to the merits of the question, I am opposed to the abolition of the payment of fees to members of the sub-committees. This non-payment of fees may look very good in theory, but in actual practice it is most undesirable. We have, in the Corporation, recently appointed special committees, and we find that a full quorum is not available at the meetings of the special committees, and several meetings of the special committees had to be adjourned for want of quorum. The quorum for the sub-committees of the Improvement Trust is two-thirds of the members whereas it is one-half for the special committees, and from the practical point of view, I think it is most undesirable to delete this section of the Act. I may mention that in the draft bill of 1921 which Government forwarded to the Corporation, there was no mention about the payment of fees to members of sub-committees. It was the Corporation which suggested to Government, in the draft bill which they sent up to Government in 1924, that there should be provision for the payment of fees to members of sub-committees, and Government gave effect to that proposal in the Improvement Trust Transfer Act. I do not see any reason why Government should change their opinion and give effect to the resolution of the Board by abolishing the fees.

Mr. P. J. MARZBAN (Bombay City, South): Sir, after the transfer of the Improvement Trust to the Corporation, the Corporation thought that it was but just and wise to treat both its children with an equal eye. Sir, the Improvement Trust, as at present constituted, stands exactly on the same footing as the Standing Committee of the Corporation and, as honourable members are aware, the sub-committees of the Standing Committee of the Corporation get no fees. Sir, the sub-committees of the Standing Committee have equally arduous duties to perform, and our experience is that the sub-committees of the Standing Committee are doing very valuable and important work, without the payment of Rs. 15 as fees per meeting. Sir, the Corporation thought that in these hard times the payment of fees to the sub-committees of the Improvement Trust was not right, and a resolution was passed by a large majority

[Mr. P. J. Marzban]

to request Government to abolish these fees. The plea brought forward that very efficient service cannot be had without the payment of fees has absolutely no substance as far as our experience goes. The schools committee and other sub-committees do excellent work without the payment of Rs. 15 per meeting. If efficiency were to be got only by the payment of rupees, annas and pies, I think it shows lack of public spirit, which I question, and I strongly support the first reading of the bill.

Mr. S. K. BOLE : Sir, I rise to support the first reading of the bill. I think, Sir, the Corporation is a bigger body, dealing in crores of rupees and with several departments of municipal administration, and there it is only the members of the Standing Committee who get fees for their regular weekly meetings, but no members of the sub-committees are paid any fees. In the case of the Improvement Trust also, the main body, that is the members of the managing committee, get the same amount of fees, that is Rs. 30 per meeting; the meetings are held, I think, three or four times a month. I submit therefore that there is no necessity whatsoever to give any fees to the members of the sub-committees, and I fully endorse the opinion expressed by my honourable friend Mr. Marzban that, though there are no fees paid to the members of the sub-committees of the Standing Committee of the Corporation as well as to the members of the schools committee, there is no meeting postponed for want of a quorum. When we are asking for more rights from Government, we must be prepared to show the same amount of public spirit. With these words I support the first reading of the bill.

Mr. HOOSAINBHAY ABDULLABHAY LALLJEE (Bombay City) : Sir, I rise to support the first reading of the bill, and I congratulate the Honourable Minister on his bringing it forward so early. I also join my honourable friend Mr. Hoosenally Rahimtoola in congratulating Government on their giving prompt consideration to the resolution of the Corporation. I trust that Government will follow this policy in future, and we shall then be always working together happily. But I do not at all agree with my honourable friend Mr. Hoosenally M. Rahimtoola that fees should be given to the members of the sub-committees, nor do I agree with him that it is for the sake of the fees that there is regular attendance, or that they work conscientiously, or that they are willing to go and serve on those committees. So much has been said in the Corporation with regard to these fees that it is needless to repeat those arguments here. It has now been felt that if there were no fees for attending the meetings of the sub-committees, there will be very little canvassing, there will be very little of official influence, and there will be little for Government to consider in making nominations to these sub-committees, and there will be very little influence used for these nominations. Sir, it has often been said that many people want to be on these sub-committees because they get fees for attending the meetings, but I find, as my honourable friend Mr. Bole has pointed out, that on the schools committee there are people who have been working for years together without any fees and, as the Honourable the Leader of the House will tell you, he has found that the members of the schools committee are more anxious to do the

[Hooseinbhoy Abdullabhoy Lalljee]

work than the members of the Standing Committee. I ask my honourable friend Mr. Hoosenally, whether as a member of several sub-committees of the corporation which does not pay to its members he has not attended its meetings, because no fee is paid. Then why does he recommend fee to members of sub-committees of the Improvement Trust? When the Improvement Trust was handed over to the corporation we found that the expenses incurred on the administration of that body were very heavy. We also found that this enormous expenditure was due to the fact that then we had no voice in the administration of that body. We found that the members of that committee were drawing fees both as members of the committee and members of its sub-committees in such a way which gave Rs. 200 to Rs. 300 a month to some members. On the other hand the members of the standing committee get a fee of Rs. 30 for which they attend and there are three or four meetings in a month while there is no fee paid to them for attending sub-committee meetings. After the Improvement Trust was handed over to the corporation they found that they could not bear this sort of thing. We could not do anything in the matter so long as it was a semi-government body because where the Government's voice prevails they always find a majority. I hope this House will not encourage making payments to sub-committee members for public service.

Sir VASANTRAO DABHOLKAR : Mr. President, I rise to oppose the motion. (An Honourable Member : Nominated member.) I may be nominated to the Council, but I am elected to the Improvement Trust. My honourable friend who preceded me has given this House to understand that the members of the Improvement Trust committee are drawing two to three hundred rupees a month. That itself shows the ignorance of the honourable member though a trustee himself knowing very little about it. We do not get more than Rs. 86 each including the attendance for meetings of sub-committees. It was in a thin house and by a snatch vote that that motion was carried by the corporation. I may ask the honourable member whether when the Improvement Trust Bill was before the corporation, did not the corporation recommend fee for sub-committees? What reply has the honourable member to give to that? Not only that. A select committee of this House was formed and there too they approved that a fee should be paid to the members of the sub-committee. When the Improvement Trust was under Government the sub-committees were all paid. Does it mean that the Government were liberal? (An Honourable Member : Certainly.) I am not ashamed to admit that if no fee is paid there will be no quorum. In the case of corporation sub-committees it is quite different. A corporation sub-committee consists of 25 members and there is hardly an attendance of 8 members at a meeting. May I know why members of the sub-committees of the Port Trust should be paid? (An Honourable Member : Because there is work.) The honourable member who is interrupting me does not understand the work of the sub-committees of the Improvement Trust. They are statutory committees like the Finance Committee, which has to meet on urgent business once or twice a month and dispose of questions as regards

[Sir Vasantao Dabholkar]

deposits and surplus balances. The plans committee has to dispose of plans submitted for their consideration. In the case of such important committees, unless fees are paid, there will be no quorum and work will fall in arrears and delayed. Then my honourable friend stated that members of sub-committees—schools committee—of the corporation are not paid any fees. That shows the ignorance of my honourable friend. There is a proposal before the corporation to pay a fee to the members of the schools committee. (An Honourable Member : Proposal is not the same as fees paid.) This shows that the corporation itself shows an inclination to pay fees to the members of its schools committee. Where was there a necessity for such a proposal, may I know, that schools committee members should be paid ? My honourable friend has given a certificate that the members of that committee have been doing honest work. (An Honourable Member : Because you are there.) I am not on the schools committee. Then I have got in my hands the record and I can show that such proposal was made and referred to a committee without a dissenting voice by my honourable friend (Mr. Hooseinbhoy Abdullabhoy Lalljee). It was at my instance, without passing that proposal straightaway in the corporation, it was referred to a committee for report. I know on one occasion my honourable friend voted for paying fees to the members of the schools committee. (Mr. Hooseinbhoy Abdullabhoy Lalljee : I question that ; it is absolutely wrong.) Then my honourable friend stated that the Honourable the Leader of the House knows the working of that committee as he was himself on it. The Honourable the Leader of the House was never on that committee. As one having experience as a representative of the corporation on the Improvement Trust I feel that the members of the sub-committee should be paid. Even since the Improvement Trust was handed over to the corporation we have taken the average earnings of its members. It does not come to more than Rs. 86 a month. The mover of this proposition in the corporation recommended that not more than Rs. 100 should be paid. We do not want any gift from the corporation. We want the sub-committee members to be paid for the work done by them. Why should the honourable member alarm the House by saying that they are drawing Rs. 200 and Rs. 300. As chairman of the Improvement Trust I know that it will be difficult to find a quorum. Even the chief officer was not allowed to speak as members were in a hurry to go home and a closure was moved.

The Honourable the PRESIDENT : I consider all that is irrelevant.

Sir VASANTRAO DABHOLKAR : Though it may be irrelevant, with due deference to you, Sir, I desire to place the facts before the Council, because this House consists of many members from the mofussil.....

Mr. B. G. PAHALAJANI : If the President has ruled, can a member proceed further on that matter ?

The Honourable the PRESIDENT : The Honourable member is not questioning my ruling.

Sir VASANTRAO DABHOLKAR : I am not questioning your ruling. As there are many mofussil members in this House I wanted to inform them of the facts. I sound a note of warning, that the Corporation or the Board of Trustees will ask the Government to go back to the old practice of paying fees to sub-committee members.

The Honourable the PRESIDENT : The House will now adjourn till 4-30 for tea. Before that I want to know the sense of the House on an important matter. As honourable members are aware there is a party at Government House at 4-30 p.m. to-morrow. I presume as usual many of the honourable members will attend it. It has therefore been brought to my notice from either side of the House that the House should sit from 12 to 3 to-morrow. I realise that that would give less than the usual time, but that will afford time enough for honourable members to attend the party. I desire to know whether the House is agreeable to this proposal.

Mr. B. G. PAHALAJANI : To-morrow is a budget demand day. If the time is made up, we will have no objection.

Mr. J. C. SWAMINARAYAN : To-morrow, we will be discussing demands for grants, and we cannot afford to lose time.

Mr. L. M. DESHPANDE : Would not 11 to 3 suit ?

Mr. N. A. BECHAR : We sit from 2 to 7, and it gives about 5 hours. If we sit from 12 to 3, we will be curtailing at least 1½ hours. We are here on business.....

The Honourable the PRESIDENT : That is to say, the honourable member is not agreeable to it ?

Mr. HOOSEINBHOY ABDULLABHOY LALLJEE : There is a select committee meeting at 3-30 to-morrow.

MOULVI RAFIUDDIN AHMAD : That will be cancelled. I propose that we sit from 12 to 3-30. That would be agreeable.

The Honourable the PRESIDENT : Honourable members will think over the matter and let me know their views after tea.

(After recess)

Rao Saheb D. P. DESAI (Kaira District) : Sir, I support the bill. I had thought that the Bombay public men would set an example to the mofussil members by not asking for money, especially as the members of the Corporation and the Improvement Trust of Bombay are supposed to be far ahead in their sense of civic duty. But it now appears to me, a member coming from the mofussil, that they are quite bereft of such sense. So, I think that this bill should be passed. I would also recommend that to enhance the prestige of the Trustees of the Improvement Trust the fees paid to members of the Committee of the Trustees should also be done away with. The members of the Committee should work for the sake of work, and not for any payment. With these remarks, I support the bill.

Mr. K. S. FIRODEA (Ahmednagar District) : Sir, I rise to support the first reading of the bill. While doing so, I cannot but make a few

[Mr. K. S. Firodea]

remarks. I was very much amused to hear the speeches of several honourable members who are members of the Corporation and of the Improvement Trust. Coming as I do from the mofussil, I never knew that members of the Corporation and members of the Improvement Trust were so devoid of civic sense. When they came wrangling for Rs. 150 per year or Rs. 20 or Rs. 15 per day, I was very much pained. When this bill was moved, I thought that there would not be a single man to raise his voice against it, but I found millionaires and persons rolling in wealth demanding fees for attending committee meetings, and we were told that without the payment of those fees there would not be any quorum. We poor people in the mofussil never claim any fees for attending these committees. But what do we find here in this premier city of Bombay? The members get fees for attending sub-committees. We are threatened that there would not be any quorum if fees are not paid. It is very painful to hear that. We, Sir, in the mofussil are not accustomed to get such fees. If it is for these fees that they work, it is better to put an end to their work.

One would have thought that Government were too conservative when they brought this bill. Government have not thought of abolishing fees for all committees. I am going to bring an amendment that section 19 should be omitted so that no fees will be paid for attending any committees.

Mr. N. B. CHANDRACHUD : I move a closure.

The honourable the PRESIDENT : I see the honourable member Dr. Dixit wanting to speak. Has the honourable member anything further to add to the discussion? If he has, I will allow him to speak.

Dr. M. K. DIXIT (Surat City) : Sir, as I was not able to hear what the honourable members said, I shall not be able to state whether I will be repeating the same arguments or whether I will be saying anything new.

The Honourable the PRESIDENT : I will tell the honourable member.

Dr. M. K. DIXIT : Sir, to members coming from the mofussil, the very idea of charging fees for working on committees is not only new, but somewhat monstrous, not to use a stronger word. We in the mofussil work on standing committees, school committees and several other committees without charging a single farthing. When we come to this city and find that there is a system of payment to members who are working on standing committees and sub-committees we are simply astonished.

One point which I believe is new to the House and which I am going to mention is this, that offering fees to members who are working on committees would mean demoralisation of members. I was surprised to hear my honourable friend Sir Vasant Rao Dabholkar saying that there would not be a quorum if fees were not given to members of sub-committees and standing committees. This only shows that the spirit of public service is wanting. If fees were to be paid to members to work on the committees, it would demoralise them to such an extent that there would be a scramble to get represented on the committees.

[Dr. M. K. Dixit]

I therefore support the first reading of this bill, and appeal to the House to carry it.

The Honourable Dewan Bahadur HARILAL D. DESAI : Mr. President, so much has been said in support of the bill that I need not detain the honourable House further, and I request you to put the matter to the vote.

Bill read a first time Question put and carried

The Honourable Dewan Bahadur HARILAL D. DESAI : Sir, I move
Second reading that the bill be read a second time.

The Honourable the PRESIDENT : The question is that the Bill be read a second time.

As there is no one to speak, I shall put the motion to the House.

Bill read a second time Question put and carried.

Bill read clause by clause

The Honourable the PRESIDENT : I shall have to put the bill clause by clause to the House.

Clause 1 (*Short title*) ordered to stand part of the bill.

Clause 2 (*Amendment of section 19 of Bom. XVI of 1925*)

"In section 19 of the City of Bombay Improvement Trust Transfer Act, 1925, the words 'or of a Sub-committee' and the words and figures 'Rs. 15 for every meeting of a sub-committee of which such member attending is a member, convened under sub-section (2) of section 21' shall be deleted."

Mr. K. S. FIRODEA (Ahmednagar District) : Sir, I want to move an amendment to Clause 2. I have already sent in my amendment to the Secretary. It is this :

"That the whole section 19 be deleted."

My reasons, Sir, for this amendment are that I do not know why a distinction should be made in the case of committees and sub-committees. I do not understand, Sir.....

The Honourable the PRESIDENT : First of all I ask the honourable member to explain how it is within the scope of the bill that we have before the House.

Mr. B. G. PAHALAJANI (Western Sind) : With your permission, Sir, I would like to say a few words on this point. This matter had come before the Legislative Council twice in the past and we have got two rulings on this. When a portion of a section is under consideration, the Honourable President's ruling was twice obtained and it was that when one part of section is before the House for alteration, then it is entirely open to the Council to consider the amendments as regards the other parts of that section. You will, therefore, find, Sir, that two rulings have already been given on this point and I have to draw your attention to those two rulings. If you feel disposed to agree with those two rulings, then the matter is dropped.

The Honourable the PRESIDENT : Yes, I notice that there is a ruling to that effect and I allow the honourable member to proceed.

Mr. K. S. FIRODEA : What I was saying is this. I move this amendment for these reasons and those reasons are I do not understand why the Government should come forward with this bill. If you look to the work that members are required to do, you will find that it is the members of sub-committees who have to do more work and not the members of committees. And if these fees are given at all, they should be paid to the members of the sub-committees. But first of all, the principle of giving fees to any members of any committee is bad. In the mofussil no fees are given to any members of any committees, and we shall be setting a bad example in the civic affairs. Therefore, my amendment is that the whole section 19 should be omitted.

Question proposed.

Mr. G. L. WINTERBOTHAM (Bombay Chamber of Commerce) : Sir, I rise to oppose this amendment. I should like to point out to this House that if this amendment is carried, it will be tantamount to this honourable House dictating to the Improvement Trust as to how they are to carry on their work. If the Corporation of Bombay who are in fact the Trustees of the Improvement Trust had passed a resolution to this effect, it would be a different thing but as they have not, I think it is not fair for this House to impose its wishes on the Trustees of the Improvement Trust of the City of Bombay without giving them the chance to express their views. I submit that to pass this amendment would not be in the best interests of local self-government.

Rao Sahab D. P. DESAI (Kaira District) : Sir, I am of opinion that this House can impose conditions or any orders on the Improvement Trust. It was brought into existence by this House and this House has every power to do away with the present Act if it so chooses. If you have made the Act in the same way as the City of Bombay Municipal Act. then I should think we can alter it and so I support the amendment moved by the honourable member, Mr. Firodea. I think no fees should be paid to the members of any committees of the Improvement Trust, whether that committee is of millionaires or of the ordinary people. The principle must be the same that nobody should be given fees and nobody should be paid for the services rendered to the Improvement Trust by attending their meetings. If Bombay people are going to set such a dirty example to the mofussil people, then I am afraid the whole spirit of public life will go away from this Presidency. I therefore support the amendment.

Mr. R. S. ASAVLE (Bombay City, North) : Sir, I rise to oppose the amendment moved by the honourable member Mr. Firodea. It is for this simple reason that we have received only one suggestion from the Improvement Trust Board regarding discontinuation of the fees paid to the sub-committees only and not to the committees. I, therefore, hope that this House would not accept this amendment for principle's sake. If this honourable House is going to act against the wishes of the bodies that are created, then it will be very difficult to carry on the administration for those bodies, and for this reason I say that as this question has not been brought before us by that body and as they have put only one question about the discontinuation of fees to the sub-

[Mr. R. S. Asavle]

committees, this amendment should not be passed. The Corporation has passed a resolution on this point also not unanimously but only by a majority of one vote. So, I tell this honourable House not to interfere with the local body, otherwise it will be a bad precedent. The honourable House has no doubt got that power, but we must give the same powers to all other bodies that have been created by this honourable House. And the more we go into it, the more we will find that any committee that will be appointed by this honourable House will have to be treated accordingly, and the work of this Legislative Council will have to be hampered because generally the members who have to travel from long distances will have also to serve without taking a single farthing. First of all, let us set our own house, the honourable House, in order, and show that we are not willing to take a farthing for our own work. But as long as we are not setting that example, we should not lay any burden on other elected bodies which have got authority and power to do their own work. That is my object.

Rao Bahadur B. R. NAIK (Surat District): Mr. President, I rise to offer a few remarks regarding this bill. My honourable friend Sir Vasant Rao Dabholkar gave us certain information regarding the standing committee. And what was that information? He said that a fee of Rs. 30 or Rs. 15 is paid to the members of the standing committee. Well, Sir, that is a very bad precedent. I may inform the honourable House that in the mofussil, as I have been associated with the working of local bodies, both municipalities and local boards members are not receiving any fees. Not only that, but some local boards had resolved not even to charge travelling allowances though many members come from long distances. Bombay, I know, is a big town containing commercial people, and money is a great thing with them, I know. But if they cannot spare so much time for public service, I do not think they should work on such public bodies. That is setting a very bad example; if members of a body like the standing committee of the Bombay Corporation receive fees, non-official members of local boards, etc., should also receive fees. But these are not joint stock companies where directors get fees and therefore, I say they should set a good example. It is only fair that a premier body like the Bombay Corporation should do away with this system of fees. With these remarks I resume my seat.

Mr. F. J. GINWALLA (Bombay City, North): Mr. President, with regard to the question of fees, this question was discussed threadbare in the Corporation when I was a member. Several members thought that the fees should be discontinued and that they should tell their constituents that they will not accept any fees, and hot discussion ensued. But the general opinion was that, so far as the standing committee was concerned, if we want the best men to devote themselves to public affairs and set apart some of their time at some sacrifice for such purpose, it was necessary to give them some remuneration. And, therefore, in spite of the fact that the Corporation has been going on for so many years now, fees have been paid to the members of the standing committee and that principle existed also with the Improvement Trust. One honourable

[Mr. F. J. Ginwalla]

member said that the Corporation has many committees and members charge fees for every committee. That is not so. I was a member of so many committees, the tramways committee, and other committees, and also the improvements committee. But I was not paid any fees although there were about 15 or 20 committees. The only committee, the working committee, is the standing committee and, therefore, they have to meet from time to time, and the principle of fees has been accepted by the body only for that committee, and I do not think it would be right for this House to impose any conditions as to how they should conduct their business. It is for them to say how best they can get best men. If they are able to get best men without fees, certainly they would be the first to ask for such provision. Therefore, I think it would not be right for this House to impose any conditions on other bodies.

Mr. J. R. PATEL (Kaira District): Sir, I rise to support the amendment, and for one reason only. It is urged against it that it would be a very bad precedent to impose the will of this House upon the trustees. But I would urge against that that the trustees themselves have adopted the principle of doing away with the fees. They have adopted the principles that members of sub-committees should not be given any fees. What we want to do, is to push that principle to its logical conclusion. When sub-committee members are not to be paid anything, it is quite right that the committee members also should not receive any fees. Therefore, we are not imposing our will on the Trustees, but ask them to be consistent by carrying the principle which they themselves have adopted, to its logical conclusion, by abolishing the fees in all cases. If sub-committee members can afford to serve without any remuneration, I can't understand why committee members who, I presume, have less work to do, cannot show the same sort of public spirit, by foregoing their fees also. With these remarks I support the amendment.

Mr. HAJI IBRAHIM HAJI MAHOMED JITEKAR: I move the closure, Sir.

The Honourable the PRESIDENT: I accept it.

Mr. K. S. FIRODEA (Ahmednagar District): Sir, there have been speeches on both sides of the House regarding the amendment. The chief point against the amendment is that the right type of men will not be available if fees are not paid. This is very surprising, and the more so when it comes from my honourable friend Mr. Ginwalla. I cannot understand, Sir, why in Bombay city the right type of men should not be available, if no fees are paid. If because a paltry sum of Rs. 30 or Rs. 50 is not paid to the members, the right type of men are not available in a place like Bombay, I am really surprised. It is really, Sir, degrading also to set this example before the mofussil people. Do we not get the right type of men in district local boards and municipalities even though no fees are paid? I will put it to the Commissioners, who are present here, to say whether those persons who serve in these municipalities and local boards are the right type of men or not. Are these

[Mr. K. S. Firodea]

people going to get rich by getting these little fees, or do they want to do public service by filling their pockets with such a small amount?

Another point, Sir, is this that a suggestion has come from that body that unless fees are paid they will not get the best men or the right type of men, and therefore we should not go against the wishes of that body. Another difficulty is that we are all along asking Government to retrench. Why should we not set the example by asking the Corporation to retrench? And my honourable friend from Bombay City has suggested that we should set an example ourselves by abolishing all the fees of the Legislative Council members. I am perfectly of that opinion. I perfectly endorse the view placed by my honourable friend Mr. Jairamdas Doulatram that if we find that Government are trying to retrench in the right spirit and is prepared to carry out retrenchment in the proper way from top to bottom, we are also on our side prepared to give up our fees and help Government. But as long as we do not find that and as long as no motion comes forward in that manner, nothing can be done. Another difficulty is that a proposition has already come before the Council that the fees ought not to be given and I do not understand why the fees ought to be kept and not abolished. I find, Sir, if we look to the difficulties, the difficulties in the way of members of sub-committees are more. They have got to look into details; they have to go into minute points and do more work than really the members who are on general committees. And what are the works of the committees? They simply come and go, and practically do nothing. Therefore, I suggest that no fees should be paid to the committee of the Improvement Trust. Therefore, I appeal to this House that it should accept the amendment. And I again appeal to the official side of the House also to again consider this question.

Now, there is a very important question, a very delicate question. Supposing this is a question for giving fees to the corporation committees, and suppose to-morrow a question comes that fees should be given to the members of municipalities and district local boards also in the mofussil, will this House sanction that? I appeal to them to consider, if they want fees to be paid to committees in Bombay, why should not they come to our help in the mofussil? But if they do not want to give fees to the mofussil members, as I am absolutely sure they would not, then they should not insist on fees being paid to Bombay committees and they should not throw out this amendment. And I also appeal to the official side of the House to support this amendment wholeheartedly.

The Honourable Dewan Bahadur HARILAL D. DESAI : Sir, I would like to place before the House certain facts with reference to the amendment before it.

When the City of Bombay Improvement Act of 1898 was passed a board was created for the Improvement Trust and there were, if I mistake not, 13 members on the board and there were committees. The members of the board were according to the Act entitled to Rs. 30 for each attendance at the meeting and the members of the committee were entitled to Rs. 15. Thereafter we passed this Act XVI of 1925, when section 19, which is the subject matter of the present amendment, was enacted. I was not

[Dewan Pahadur Harilal D. Desai]

in the Council then. However, I find that there was a discussion on the point and the section, as it stands now, was allowed to stand and fees were allowed to members of the committee at the rate of Rs. 30 and to members of sub-committees at the rate of Rs. 15. After this, on the 21st October 1926 there was a meeting of the trustees of the Improvement Trust of the city of Bombay, and a trustee moved the following resolution :

"In view of the great stringency of funds felt by the Bombay Improvement Trust and in order to meet adequately the expenditure of carrying out the different functions entrusted to them, the trustees ought to recommend that some reduction in the scale of fees required to be paid to the members of the Improvement Trust Committee under section 19 of the Trust Transfer Act be made so as to fix the aggregate amount of fees payable to any member in respect of meetings of the committee or sub-committees held during any month shall not exceed Rs. 10 ; That the President be requested to address Government requesting to undertake legislation for an amendment of the Trust Transfer Act of 1925 and to give effect to the opinion of the Trustees referred to in paragraph 1 of this resolution."

To this an amendment was moved, which has led to the present legislation and that amendment was moved by, I believe, the honourable member Mr. Marzban, if I do not mistake his identity, that the fees be paid in respect of meetings of the Improvement Committee as provided for in section 19 of the Act, but no fees were paid in respect of meetings of the sub-committee. So that on the motion of the trustees of the improvement trust this legislation was undertaken, and only a short time ago this House had allowed fees to members of committees as well as to members of sub-committees. In the fitness of things it would be proper to have before the House the opinion of the board of trustees with reference to the subject matter of the amendment and that is a question which this House ought to consider. Of course, I on my part do not wish to press the matter either way, but I want to leave it to the House after what I have submitted with regard to this question.

Question put. House divided. Ayes 25 : Noes 41 Amendment lost.

Division No. 4

Ayes

BHOSLE, Mr. M. G.
CHIKODI, Mr. P. R.
DAGUMIYA, Mr. G. A.
DESAI, Mr. J. B.
DESAI, Rao Sahab D. P.
DESHPANDE, Mr. L. M.
DIXIT, Dr. M. K.
FIRODRA, Mr. K. S.
JATRAMDAS DOULATRAM, Mr.
JAN MAHOMED KHAN, Khan Bahadur
JOG, Mr. V. N.
JOSHI, Mr. S. C.
KAMBLI, Rao Bahadur S. T.

KARKI, Mr. M. D.
MANSURI, Khan Sahab, A. M.
MUJUMDAR, Sardar G. N.
MUKADAM, Mr. W. S.
NAIK, Rao Bahadur B. R.
PAHALAJANI, Mr. B. G.
PATEL, Mr. J. R.
PRADHAN, Mr. R. G.
RAJMAL LAKHICHAND, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO,
Mr.
SWAMINARAYAN, Mr. J. C.
VANDEKAR, Rao Sahab R. V.

Tellers for the Yes : Mr. K. S. FIRODRA and Rao Sahab D. P. DESAI.

Noes

ABDUL LATIF HAJI HAJRAT KHAN, Khan
Sahab.
ADDYMAN, Mr. J.
AHMAD, MOULVI RAHUDDIN.
AMBEDKAR, Dr. B. R.

ASAVLE, Mr. R. S.
BALAK RAM, Mr.
BHURGRI, Mr. J. W.
BHUTTO, Khan Bahadur S. N.
BOLE, Mr. S. K.

Noes

BROWNE, Mr. D. R. H.
 CHANDRACHUD, Mr. N. B.
 CHATFIELD, Mr. G. E.
 DAUDKHAN SHALEBHoy, Mr.
 DESAI, the Honourable Dewan Bahadur
 HARILAL D.
 GHOSAL, Mr. J.
 GHULAM, NABI SHAH, Khan Sahab
 GILDER, Dr. M. D.
 HARRISON, Mr. C. S. C.
 HATCH, Mr. G. W.
 HOTSON, the Honourable Mr. J. E. B.
 JEEHANGIR, the Honourable Mr. COWASJI
 JITEKAR, Mr. HAJI IBRAHIM HAJI
 MAHOMED
 JONES, Mr. W. E.
 MARTIN, Mr. J. R.

MEHTA, the Honourable Sir CHUNILAL
 MONTEATH, Mr. J.
 NOOR MAHOMED, Mr.
 OWEN, Mr. A. C.
 PAINTER, Mr. H. L.
 PRADHAN, the Honourable Mr. G. B.
 RIEU, the Honourable Mr. J. L.
 SAYED MUHAMMAD KAMIL SHAH
 SAYED MUNAWAR, Mr.
 SMYTH, Mr. J. W.
 SOLANKI, Dr. PURUSHOTTAMRAI G.
 SURVE, Mr. V. A.
 TAUNTON, Mr. I. H.
 TURNER, Mr. C. W. A.
 WADIA, Mr. C. N.
 WILES, Mr. G.
 WINTERBOTHAM, Mr. G. L.

Tellers for the Noes : Mr. G. L. WINTERBOTHAM and Mr. R. S. ASAVLE.

Mr. B. G. PAHALAJANI (Western Sind) : Sir, I wish to raise a point with regard to the traditions that have been established in this House, and that is that when a Member of Government in charge of a department leaves it to the House to decide a question, the tradition for this House has been that the Members of Government do not vote. That has been the tradition up to this time. If that tradition is to be departed from, the House is at liberty to do so, but I want to inform the Chair that up to this time the tradition fixed has been that when the Member of Government in charge of a department, even without consulting his colleagues, leaves it to the House to decide, then the Government does not vote. That took place, in a most pointed manner, in the case of the City Municipalities Act, XVIII of 1925, when several matters were decided by votes of 7 to 3, and in cases when the Honourable Member in charge left it entirely to the House to decide. I only bring it to the notice of the Government through you, Sir, as responsible for fixing the traditions of the House, and raise the point whether, after consultation with his colleagues or not, when a statement is made by the Honourable Member in charge that he leaves it to the House to decide, it is open under those circumstances for the Government to vote.

The Honourable the PRESIDENT : I should like to hear what the Honourable the Leader of the House has to say.

The Honourable Sir CHUNILAL MEHTA : Mr. President, unfortunately, I was not present when this statement that is said to have been made was made. I do not know whether the honourable member from Sukkur has quoted all the previous occasions when the Members of Government have stated that they have given all the arguments for and against any particular proposal, and that they would leave it to the House to decide. I do not exactly recollect the particular instance in regard to the Act that he referred to, but I should like to have what he said actually confirmed by the debates.

Mr. B. G. PAHALAJANI : I could give, without reference, many other occasions when such a course was followed.

The Honourable Sir CHUNILAL MEHTA : I have no doubt that his memory is extremely accurate, but one ought to see the circumstances

[Sir Chunilal Mehta]

under which such a statement was made. It seems to me that when a Member of Government or any other member says that he leaves it to the House to decide, the House means the whole constituted body of members. It cannot be said that the House consists of either the officials or the non-officials, or any particular section of the House. Obviously in this particular instance, the Government were in no way interested either way, and naturally the Honourable Minister who, it must be remembered also, is not in charge of this particular department and who is new to his office, mentioned all the arguments for and against and said that Government were not prepared to press their own view one way or the other, but would leave it to the House to decide. Members of Government often use that expression, that they would leave the House to exercise their judgment, but that did not prevent them from voting. I think, if the expression is to be interpreted in its literal sense, it must mean the whole House, and if it is to be interpreted in the way in which the honourable member wishes it to be done, then no Member of Government would be prepared to use it, unless he wished to make it clear that the Government did not want to vote.

My honourable colleague reminds me that on those previous occasions referred to by the honourable member from Sukkur Government, while leaving it to the House, also stated that they did not wish to vote.

The Honourable the PRESIDENT: I think a very important point of order has been raised and it is my duty to look into the many decisions and rulings that the honourable member refers to. But, subject to correction, I certainly agree with the Honourable the Leader of the House that, when a Member of the Government leaves it open to the House to decide, he certainly means that he leaves a free vote to the will of each honourable member, including the members on the Government benches. Therefore they are at liberty to vote as they like; and, when it is supplemented with a further statement that Government would not wish to vote, there is certainly a binding on Government in accordance with that statement. Minus that statement every member of this House is a member of this House, either on this side or that.

But there is one thing more which I wish to point out, subject to the ruling I wish to look into. When a Member of Government says "I leave it to the House" that is to say, a free vote, then Government as a body should not be seen canvassing either for the one lobby or the other. That is all the distinction I wish to draw. Otherwise the meaning put on the question by the Honourable the Leader of the House is correct.

There is one thing more. I should particularly like to draw the attention of honourable members to it, and it is this: I count the limit of this House as the Council Hall to that screen opposite to me. That is the limit of the House, and not the benches. Therefore anything that honourable members cannot do in this House while it is sitting, they cannot do beyond those benches on this side of the screen during the division time. Therefore lobbying, smoking, etc., must be done outside this hall.

[The President]

I now put the original clause to the House

Clause 2 (*Amendment of section 19 of Bom. XVI of 1925*) ordered to stand part of the bill.

Preamble ordered to stand part of the bill.

The Honourable Dewan Bahadur HARILAL D. DESAI . Sir, I move

Thud reading that the bill be read a third time.

bill read a third time Question put and carried.

The Honourable the PRESIDENT : The bill is read a third time and passed into law.

The Honourable Dewan Bahadur HARILAL D. DESAI . Sir, I move the following resolution :—

“ This House recommends to Government to approve the scheme for the appointment of a Professor of Applied Chemistry and Physics at the Grant Medical College, Bombay, as detailed in the printed statement laid on the table.”

The General Medical Council of Great Britain recommended that the subject of applied chemistry and physics should be a subject for the M.B. B.S. examination. In order to carry out that recommendation it was found necessary to take steps for the appointment of lecturers on the subject. These lectures were sanctioned to be delivered by Dr. D'Souza who used to get about an average of Rs. 200 a month, while he was getting a further sum of Rs. 300 for lectures connected with hygienic degree. This has been going on for some time and the matter could not be brought before the House early. It is now necessary to move this resolution in order to get the sanction of the House to the expenditure which has been incurred up to now and to validate the expenditure for future also.

Question proposed.

Mr. F. J. GINWALLA (Bombay City, North) : Sir, I beg to move the following amendment . —

“ That the scheme be approved but that Government be requested to reconsider the question of pay.”

As regards the question of pay I wish to inform the House that in the municipal hospitals doctors are getting Rs. 150 and in Government hospitals they are getting Rs. 300. I was very much surprised at the attitude of Government in proposing a salary of Rs. 500 for this professor. I think it is necessary in view of the economy and retrenchment that the House has been proposing for the last so many days that this professor should get the same salary as doctors in the municipal hospitals.

Question proposed.

Dr. M. K. DIXIT (Surat City) : Mr. President, the amendment moved seems to me to be very vague. To say that the pay of the professor shall be re-considered by Government, should not satisfy the House. We are crying for retrenchment. I am sorry I am obliged to speak against the amount of salary to be given to a professional brother of mine, but I consider that the sum of Rs. 500 for six lectures a month, only for part time and with permission to set up private practice, is certainly exorbitant.

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I suggest that he should get only an honorarium. I know that better qualified people with higher degrees are getting less, and I do not see why this gentleman should get Rs. 500 for this work. I propose that we should put in the amendment that the amount should not be more than Rs. 200 a month.

The Honourable the PRESIDENT : Is it your amendment ?

Dr. M. K. DIXIT : It is only a suggestion that I wish the Honourable Minister to look into.

The Honourable the PRESIDENT : Therefore, the honourable member agrees with the vagueness of the amendment.

Dr. M. K. DIXIT : Yes, if the Honourable Minister will reduce the amount to a reasonable extent.

Mr. R. S. ASAVLE : Sir, may I ask if the Honourable Minister accepts the amendment ? If so, we would not take much time of the House.

The Honourable the PRESIDENT : The Honourable Minister for Education has accepted the amendment in the form that the honourable member has moved it, and therefore the resolution would stand as amended.

MOULVI RAFIUDDIN AHMAD : How would it read ?

The Honourable the PRESIDENT : The resolution as amended would read :

" This House recommends to Government to approve the scheme for the appointment of a Professor of Applied Chemistry and Physics at the Grant Medical College, Bombay, as detailed in the printed statement laid on the table, subject to the re-consideration of the salary."

Mr. R. S. ASAVLE : Sir, I rise to support the amendment. But I want to suggest that the amendment is vague and the honourable mover has not mentioned the exact salary. I would suggest to the Honourable Minister for Education that he should bear in mind the salaries of professors of Applied Chemistry and Physics in other hospitals, such as the King Edward Memorial Hospital, and other Government Hospitals in the City of Bombay, when he comes to fix the salary of this post, and fix the like amount only.

Dr. M. D. GILDER (Bombay City, North) : Mr. President, I want to take this opportunity of correcting some misapprehensions that seem to have been raised in the minds of some of the honourable members of this House by my replies the other day. Most of the staff of the King Edward Memorial Hospital are also teachers on the staff of the G. S. M. College and are paid a carriage allowance of Rs. 150 per mensem from the college funds. There is one lady doctor who is not on the staff of the college but is on the staff of the hospital. She gets a carriage allowance of the same amount from the hospital funds. On the other hand there are two part-time professors on the college who have nothing to do with the hospital. They get an honorarium of Rs. 150 which is borne on the college accounts.

MOULVI RAFIUDDIN AHMAD (Central Division) : Sir, I have never seen any Honourable Minister in this House accepting so vague an amendment to a resolution moved by him without any explanation. I know the difficulties of the Education Minister who is quite new to the work, but I want to know on what basis he had originally fixed Rs. 500. I want to know whether in fixing this salary he had consulted any experts or any advisory body ? If he had done so, would he let us know why he has now changed his mind and what fresh considerations have induced him to accept the amendment ? So, in the name of accuracy and efficiency, for which Government plead so much, I ask for an explanation on this question.

The Honourable Dewan Bahadur **HARILAL D. DESAI** : Sir, long before I took charge, in the time of my predecessor, this matter came up to the Government with the recommendation of the Surgeon General to the Government of Bombay who suggested Rs. 500 as the salary, which, Government as advised at that time, accepted, and consequently the resolution was put in the form in which it was originally put before the House. However, there is no objection to re-consider the question on the grounds urged by Dr. Gilder, and in view of what he stated, I consider it desirable that I should leave that question open. In order that honourable members may be impressed with our desire to retrench as far as possible and wherever it is possible, I have accepted the amendment.

Question put :

This House recommends to Government to approve the scheme for the appointment of a Professor of Applied Chemistry and Physics at the Grant Medical College, Bombay, as detailed in the printed statement laid on the table, subject to the re-consideration of the salary.

and carried.

The Honourable Sir **CIFUNILAL MEHTA** : Sir, I beg to move :

That this House approves of the acquisition of the Sailors' Home and the plans for the proposed new Council Hall and recommends to Government that they should proceed with the work subject to a limit of expenditure of Rs. 8,30,000.

Sir, I may state at once that I am bringing forward this resolution, which really belongs to the department of the Honourable the Minister for Public Works, but I bring this forward as the Leader of the House as it relates to the convenience of Honourable Members. Sir, often times in the past, in fact ever since the Council moved into this hall, a wish has been expressed by the honourable members that the conduct of the work of this Council should take place in a hall whose acoustic properties would be such that all the members of the Council would be in a position to be able to hear what is said from one end to the other of the House. This question, Sir, I may also state was mentioned in the Finance Committee, and as I stated to the House a few days ago, it was in pursuance of the discussion both in the Finance Committee and of the expressed desire of many members of this House that I felt bound to bring forward this resolution to-day.

Now, I wish to state very briefly the history of a Council hall in Bombay. As honourable members are aware the old Council before the Reforms used to meet in the Secretariat. The room there was entirely insufficient afterwards for the largely increased number of the reformed Council.

[Sir Chunilal Mehta]

It was, I may say, extraordinarily convenient so far as the Government were concerned. They used to get any information they wanted with the least possible loss of time, and the official members could work in their rooms while they were not directly required in the Council. For the reformed Council, the first proposal was to put up a temporary structure on the Oval to house the new Council. There was such a chorus of disapproval of the scheme that the Government of Sir George Lloyd felt that it should not be carried through. A Committee was then appointed consisting of several official and non-official members belonging to the old Council to see what arrangements could be made and I happened to be one of the members of that Committee. Our first plan was to see whether any extension could be made or any alteration could be made in the Secretariat itself, as it would be most convenient. But it was found that that scheme was impossible. The Committee then went round in search of various buildings in this city. In fact in order to test whether the University hall could not be used for the work of the Council, one session of the old Council was actually held in that hall and an attempt was also made to improve the acoustic properties of that hall, which I may say are even worse than of this, and it was decided that it was impossible to carry on the work of the Council in the University Hall. We examined also the Prince of Wales Museum Building and we found that, quite apart from the inconvenience of having to turn out the Museum for which it was intended, the building was not quite suitable for the Council both on account of size and on account of the arrangement of the rooms. I think also that the Sailors' Home was then considered. I am not absolutely certain about it, as it was about eight years ago, but it was not then available; so also the School of Art was at that time considered. All these proposals were rejected and finally the Committee and Government came to the conclusion that the only possible building that could be used—and used temporarily—was the Town Hall. The honourable members must be aware of the history of this building. This building was raised by public subscriptions and obviously the citizens of Bombay have the first claim on this hall. It is and has been for many years past constantly in requisition for various meetings and various public purposes in which the citizens of Bombay are interested, and it was felt that to exclude the citizens of Bombay from the use of their own property for at least a month together during the Bombay session, was hardly fair to the inhabitants of Bombay. The hall is in fact in demand for the purpose of Bombay citizens and if honourable members would like to have a more detailed history of how this hall came to be built and the regulations under which it is being used, I feel sure that the Collector of Bombay will be able to supply all the information. But for the purpose of my proposal, it appears to be unnecessary to go into any more details. The substantial fact is that after very close enquiry we came to the conclusion about eight years ago that the Town Hall was the only possible place which should be used for a short time, until some other hall was available. Ever since we moved into this place in 1921, there have been very serious complaints from all members of the House that hearing is most difficult, especially if the speaker is at a distance.

[Sir Chunilal Mehta]

I find that not only the honourable members are greatly inconvenienced in this matter, but also that the Press and the public are very seriously handicapped. I think I am correct in saying that one of the morning papers even, which is not always in favour of Government, says that a new hall is a very necessary improvement on the part of Government.

An Honourable MEMBER : What is the name of the paper ?

The Honourable Sir CHUNILAL MEHTA : I have no doubt you have read it.

Sir, ever since 1921 these complaints have been made, and owing to your recognition of that fact, Sir, and owing to your desire to give every possible facility to honourable members, you have also re-arranged the seats only during this session. I was told by several honourable members just ten minutes ago how very inconvenient even this arrangement is. In fact, I was told that it was not an improvement but perhaps otherwise on the old arrangement. Honourable members who are sitting there will be able to give their own experiences in this matter. But it is not only the acoustic properties of this hall that are the sole inconvenience. There are appurtenances of any public Legislative hall which are essential if the work of the Council is to be carried on in the manner in which it should be done. We have often had requests both in Poona and in Bombay that sufficient committee room is not available for the meetings of the various parties in the House. There is no library, which is a great desideratum. In this building, as you no doubt are aware, Sir, the facilities are very few indeed, and, at all events, to the general public it is most unsatisfactory that they should be in a position far away where they can scarcely see the members speaking and certainly hear very little of what is being said. On those grounds, Sir, and with this history behind us, we felt bound to bring before the House the present proposal, which has matured after a certain amount of enquiry and negotiation. The Sailors' Home has been in existence, I believe, ever since the seventies and the building belongs to the Association. The land belongs to Government and can revert to Government if the Association do not use the building for the purposes for which it was originally built. It is perfectly true that the Sailors' Home is not being made use of to the same extent for housing sailors as it used to be in the past. The creation of the new docks and the removal of the navy are responsible for that. But yet the Sailors' Home even to-day is being used by the Committee, and legally, as we are advised, it can continue to be used by the Committee so long as they desire to do so. It is, therefore, a matter of arrangement with the Association to see whether their interests as well as the interests of the Council can be served by taking over the Home at a certain price.

Mr. W. S. MUKADAM : The whole building ?

The Honourable Sir CHUNILAL MEHTA : Yes, the whole building including the land.

Mr. G. I. PATEL : At the present prices, what would be the average per square yard of built area ? How much is the built area ?

Mr. D. R. H. BROWNE : I think, Sir, it might satisfy the House if I said that the figure which has been arrived at, namely, Rs. 4,44,000, is made up of Rs. 3,60,000 which was the original cost of the building, *plus* balance which was due to additions and alterations made. The building and the additions and alterations were constructed many years ago and at the present time there is no question about it that the market value of the building is very much greater.

Mr. G. I. PATEL : We want to know the price you paid per square yard of built area to-day.

Mr. D. R. H. BROWNE : I am sorry we have not got that information taken out on those lines. I can very easily get the information to-morrow.

The Honourable Sir CHUNILAL MEHTA : Mr. President, I am sorry that this information is not at the moment available ; and in fact I do not know whether it would suit the honourable member's purpose to know the square area built upon. I presume what he really wants to know is the cubical area of the building. The square area of the building actually built upon would not give him any idea of the cost of the building.

I was explaining, Sir, there is a Seamen's Institute near the docks, which is much more used than the Sailors' Home owing to its present unfavourable location and the proposal of this Sailors' Home Association is that the money that they will receive in return for the buildings that they will give over to us will be used to help the Seamen's Institute near the docks.

Mr. W. S. MUKADAM : Are there any Indian sailors there or only European sailors ?

The Honourable Sir CHUNILAL MEHTA : I will answer that point about the question raised whether the Home is being used for Indian sailors or European sailors and what is proposed to be done with the money. The Sailors' Home at present accommodates only European sailors, and that is as it should be under the terms under which the house came to be built. It is meant for stranded sailors only, and no Indian sailors can be said to be stranded so long as they are on Indian soil. Therefore, the use of this Sailors' Home has been made by European sailors. But the Rs. 4,44,000 that is proposed to be paid for the Sailors' Home now is, I am informed, to be utilised partly at all events for the advantage of Indian lascars. There is a fund of about Rs. 60,000, I am told, which was collected from the public some little time ago for Indian lascars and for building a home for them. That fund is quite insufficient for the purpose in view. It requires to be supplemented and the Port Trust, I believe, are prepared to give a plot of land for this building, and this Association is prepared to help the scheme by a lakh or more for the Indian seamen. I only mention that in answer to the question that has been raised. I make no point about it. All I say is this, that having found that the wishes of the House were that some new hall should be available, we consider that the proposal before us is both eminently satisfactory and reasonably cheap. The amount of Rs. 4,44,000 to be paid to this Association is arrived at, as the honourable the Secretary for the Public Works Department explained, by the sum

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that they spent originally somewhere in 1870 and the additional sum that they spent in order to make additions and alterations to those buildings. It is quite evident that a magnificent building of the type built so long ago as fifty years ago at least would now cost much greater sum if the same kind of building were to be put up, and on that account it becomes a specially attractive proposition. Not only is this hall difficult for purposes of hearing on account of its acoustic properties, but honourable members have often complained of the great disturbance that is caused by the noise that goes on outside at times.....

Mr. W. S. MUKADAM : The same will be there.

The Honourable Sir CHUNILAL MEHTA : No.

I just want to point out that there is a little difference. In the Sailors' Home, the proposal is, as honourable members must have seen from the plan, that there should be a hall built inside the present front portion of the building. It is somewhat away from the tram lines. The tram lines do not run nearly so close to the building as they do here, and it is believed that a more suitable place could scarcely be found free from the noise that attends all quarters of this busy city. I do not think, Sir, that I need mention any further details as to the cost of the new building that was stated to the Finance Committee and also mentioned to all the members who took an interest in the plans that were exhibited for the last two or three days.

There will be rooms for the President and for various committees and there will be a new hall itself costing Rs. 2,39,000 including galleries and office. There will be arrangements for the public to watch the proceedings and there will also be a press gallery. In all the sum is not expected to go beyond Rs. 8,30,000. This amount will be met from loans. Under the limit of five lakhs that we have placed for borrowings, this scheme can properly come from the loan funds. It may not be said perhaps to be directly productive, but once the Council admits that some hall has got to be found, then I do not see how they can escape from the conclusion that this sum should be met from loans and I do not see also how they can find any better or cheaper place than the Sailors' Home.

Let us remember, Sir, that we want a permanent habitation for the Legislative Council. One does not know to what size the Legislative Council may grow, one does not know for how many months in the year the Legislative Council may sit in Bombay ; the chances are that as the work of the Council grows, the hall will come to be used more and more and that if a permanent house is to be found, there can be no question whatever.....

Khan Saheb ABDUL LATIF HAJI HAJRAT KHAN : Is there any arrangement for a hostel in that building ?

The Honourable Sir CHUNILAL MEHTA : No, I am afraid not. The Council will have to be prepared to spend a far larger sum if they want to provide for a hostel. In any case, whenever a new hall is to be built, it will have to come from loan funds. I mention this point because it will mean the payment every year of the interest and sinking fund

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on this sum of money, about Rs. 50,000. We are borrowing at a lower rate than 6 per cent.

Mr. J. C. SWAMINARAYAN : What amount of provision is going to be made for providing a sinking fund ?

The Honourable Sir CHUNILAL MEHTA : I could not tell the honourable member that off-hand ; he himself is a great mathematician.

Rao Saheb D. P. DESAI : Is it possible to sell a part of the land to somebody ?

The Honourable Sir CHUNILAL MEHTA : It is quite possible to build shops (Laughter) and we can derive a very great amount of rent in such an important quarter. No doubt, the honourable member, after acquiring it, will think of building shops.

I therefore place this proposal before the House. I must not be accused of leaving it entirely to the House, when I say that I leave it to the good sense of the House, but I do think that Government felt bound to bring forward this proposal on account of the repeated requests that have been made. We think that we have got, one may almost say, a bargain at this price. The present market value would be very considerably more, and I do not think that even with a desire to spend a very large sum of money we could get a building which would be architecturally equally imposing and which would be in keeping with the requirements of a Legislative Council Hall for the presidency of Bombay. I will therefore say again that I leave it to the House but I do not say Government will not vote.

The Honourable the PRESIDENT : The resolution before the House is :

"That this House approves of the acquisition of the Sailor's Home and the plans for the proposed new Council Hall, and recommends to Government that they should proceed with the work subject to a limit of expenditure of Rs. 8,30,000."

To this, there is an amendment placed in my hand by the honourable member for Nasik, Mr. R. G. Pradhan, which reads as under :—

"Delete all the words after the word 'Home' in the second line and substitute the following instead for the proposed Council Hall :

'and recommends the Government to provide to the limit of Rs. 4,44,000 for the purpose. Further work on the building be undertaken the next year if the budget promises a good surplus.'"

Mr. R. G. PRADHAN (Nasik District) : Sir, I beg to move the amendment which has just been read out by the Honourable the President. The amendment seeks to embody the views after joint consultation of a considerable section of the non-official side of the House. The object of the amendment is to provide for the purchase of the Sailors' Home immediately at a sum which has been mentioned in the amendment, but to provide that any additional expenditure that may have to be incurred in order to make it into a nice-looking imposing Council Hall will be postponed until our financial position is improved. There can be absolutely no doubt whatever that we must have a new Council Hall (Hear, hear). On that point, I do not think there will be a single member who will venture to express a contrary opinion. I say we

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want a good Council Hall, worthy of this city (Honourable Members : Hear, hear) and worthy of the Parliament of this Presidency, and not simply because the acoustic properties of this Hall are bad. I place the matter on altogether a higher level. Honourable members are aware that every year thousands of American tourists come to this country, and I am sure they must be spending some days in visiting the interesting and important places in the city ; and naturally, as Americans are interested in our political development, they must be enquiring "Where is the House, the hall, of the Parliament of the Presidency of Bombay ?" Probably some of them must have visited this place as visitors in the distinguished visitors' gallery ; they must have seen this hall and gone over the place, and I think they must have said, what a disappointing and unsatisfactory edifice it is, entirely unworthy of the traditions of this great city. Sir, I do not wish in any way to disparage the merits, such as they are, of this hall. I know this hall has great traditions. For instance, it has witnessed the remarkable oratory, several times, of the great champion and leader of this city, the late Sir Pherozeshah Mehta. But, however suitable it may be as a Town Hall, for holding occasional public meetings, for expressing public opinion on important public questions, I think, and all will agree with me when I say, that it is far from suitable as a Council Hall for the efficient discharge of our duties as elected representatives of the electorates of this Presidency. Personally, I confess I have often felt very uncomfortable in this hall. I have been able to do much more efficient and better work at Poona, in the beautiful Council Hall of Poona than in this Council Hall. Very often, after sitting for an hour or two, or even less than that, I have felt inclined to go out. So, there can be no doubt whatever that we need a Council Hall worthy of the Parliament of this Presidency and worthy of the traditions of this city.

But, Sir, what is weighing with some of us at the present moment is this. The budget is a deficit budget. We have attacked the Government—I have myself done it sometimes most vigorously—for not practising retrenchment. We have recommended retrenchment ; we have asked Government to practise the strictest economy and the utmost retrenchment, and therefore we feel, will it be becoming on our part, in the present financial condition of the Province, to incur this expenditure just at the present juncture. That is a thought which has been weighing upon the minds of some of us. We feel that the building may be purchased. We are told, and I believe it, that if this building is not purchased at once, probably we might not have it, and consequently we shall have to suffer to that extent in the matter. So, this building should be purchased, and purchased as soon as possible. We do not object to the purchase of the Sailors' Home, but, having regard to the financial condition of the Province, we say that any further expenditure should be postponed, that any extension or alteration that might have to be made in the Sailors' Home, so as to make it a very good and beautiful Council Hall, may be postponed. That is that we suggest in this amendment.

Rao Sahab D. R. PATIL : What will the American visitors say :

Mr. R. G. PRADHAN : I am perfectly sure when we go to the Council Hall there, if an American visitor comes there he will be entirely pleased with it. So, this is the amendment which I propose. Of course, I am glad to see that the expenditure is sought to be incurred by a loan. That will, to some extent, reduce our immediate liability. So, in view of the urgency of the matter, there can be no doubt that this bargain should be entered into. Only, the House will have to consider whether the other additional expenditure should be incurred immediately or should be postponed for some time. Of course, I am speaking on this motion subject to reconsideration, and if Government makes out a good and strong case for incurring the entire expenditure this year, the House probably may be persuaded to give full support to the proposal before the House. So, this is the amendment standing in my name, and I beg to move it.

Mr. F. J. GINWALLA (Bombay City, North) : Sir, I strongly oppose both the proposition and the amendment, first and foremost on the ground of economy. At a time when we are crying for economy and retrenchment, I think it would be rather criminal on the part of the representatives of the people to give sanction to the purchase of a new building, and on the top of that to spend Rs. 4 lakhs for additions and alterations to the building, and incur a total expenditure of nearly Rs. 8½ lakhs. I would have supported the proposition if Government wanted to purchase the building after some time, but there is a deficit in our budget, and Government propose to add to that deficit by a further sum of Rs. 8½ lakhs. What will be the total interest charges? The Honourable the Finance Member stated that the total interest charge will come to Rs. 50,000, and to that the sinking fund and other charges have to be added. I think, Sir, at a time when we are crying for economy and retrenchment in all departments of Government, this House should not subscribe to the proposition of borrowing money for a new Council Hall. The proposition is that Government propose to borrow a sum of Rs. 8½ lakhs for the construction of a new Council Hall, and the urgency of the matter is stated to be this that we are not able to hear one another in this hall. I should certainly think that if honourable members were to raise their voices a little bit, they would be able to hear one another. My experience of the Municipal Corporation Hall is worse than this. The acoustic properties of the Corporation Hall are worse than those of this hall, and several members of the Corporation have told me that they were not able to hear one word of what I say there. I find that the acoustic properties of this hall are much better than those of the Corporation Hall. If you want better acoustic properties, why not go to the Sir Cowasji Jehangir Hall. There is a public hall which you can get, which has much better acoustic properties. But, at a time when we are crying for economy and retrenchment, I think it is suicidal for the representatives of the people to agree to this proposition.

Now, I want to object to this proposition on another ground, namely that the Sailors' Home is not a suitable place for the Council Hall. It is

[Mr. F. J. Ginwalla]

practically in a congested part of the city, and near the tramway and motor traffic. If Government want to put up a new and suitable Council Hall, just wait until we are able to fill up the Back Bay. There we shall get the sea breeze, and it will not be necessary to add to the deficit in the budget. If you wait till that time, you will have a balanced budget, and out of our revenues we shall be able to build a fine Council Hall. Until then, I do not see that there is any necessity for having a fine hall or to spend such a large amount as Rs. 8½ lakhs for the purpose of having a suitable Council Hall. Therefore, I think that the House should not subscribe either to the main proposition or to the amendment.

As regards the amendment, my objection to it is this. It is said that there is need for economy, and in order to get over that difficulty, let us not lose a good bargain, that it is a very fine and tempting bargain. Therefore when there is a deficit budget and the presidency is suffering from famine conditions it should not be made to suffer from these charges. Even if the building remains vacant, a business man will hesitate to spend any money over it at such times. We should consider twice before we spend public money.

The Honourable the PRESIDENT: I wish to request honourable members who are desirous of speaking on this motion, as we are now nearing the close of our usual time, to be brief in their remarks and to see that this subject is completed to-day and not left over for another day.

Khan Saheb ABDUL LATIF HAJI HAJRAT KHAN: We want to make several suggestions. How shall we be able to finish it, Sir?

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Sir, Nero is fiddling while Rome is burning; while we are faced with a deficit budget, we are thinking here about luxurious accommodation for ourselves while thousands are starving. Famine condition is prevailing throughout the presidency. If Government are going to borrow money for expenditure on the luxurious building let them utilise that money for removing the misery of the famine-stricken people. An argument was advanced that a better bargain cannot be had in any other place. I wish to point out that Government is creating debts in that way. They are basing their calculations about reducing Back Bay loss on the present worth of what they are going to get by selling land 15 or 20 years hence. Instead of buying this property at immense price and inducing the House to agree to the proposal, they should not undertake and proceed further in this venture. I would suggest that we should wait now and build our Council Hall on the land reclaimed from the Back Bay after the reclamation is finished and enjoy the fine sea breeze there, and I am sure the Honourable the General Member will give us land for our Council Hall and he will have to sell so much less land. While we shall enjoy the breeze our successors will remember the follies of the predecessors which ruined the presidency. Instead of spending money at present when the condition of the presidency does not permit it, I would suggest to Government to wait till we come to such a position when our financial condition will be better. Government will be able to carry out this proposition by their

[Mr. J. C. Swaminarayan]

solid bloc, but they will be doing the greatest injustice, criminal injustice, to the people who have been landed in such a hopeless condition of their policy which they are compelled to admit. If Government have money I should request them to spend a few lakhs on roads in famine stricken areas and dig more drains and lakes and on such other problems which are confronting the poor miserable cultivators. What does this expenditure of 8 lakhs mean ? It will come to Rs. 50,000 in interest and increase the deficit by another half a lakh. (The Honourable Sir CHUNILAL MEHTA : It will come to Rs. 50,000. The interest is at the rate of $5\frac{1}{4}$ per cent.) It is not possible. You will have to make provision for sinking fund. Whatever it may be, when there is a deficit budget it is criminal folly that Government should launch upon such a scheme now. It will have to be paid by the taxpayers. Who are the taxpayers ? They are cultivators, because they pay a greater percentage of the revenue. We, as representatives of the agriculturists, would rather sit under the trees or on the sea shore for our deliberations rather than vote for this grant.

Rao Bahadur R. R. KALE (Sarara District) : Sir, I have no desire to take much of the time of the House. The necessity of a decent Council House has been made out in so eloquent terms by the honourable member from Nasik. In fact we have no House of our own. I am very much doubtful after the history the Leader of the House has given us whether we shall not be open to the charge of having mis-appropriated this public property for so many years.

The Honourable Sir CHUNILAL MEHTA : I just want to clear a misapprehension, Sir. This building was originally commenced by the residents of the city of Bombay. They contributed a substantial amount but they were unable to go on and Government added a certain amount of money and finally completed it. It was to be used and is being used under the rules framed by Government for the public benefit of the citizens of Bombay. The correction I wish to make is that perhaps honourable members may have got the impression from my speech that the whole money was contributed by the public. It was less than the money contributed by Government. In fact very much less.

Rao Bahadur R. R. KALE : It did create that impression to a certain extent. But the purpose for which the money was subscribed and supplemented by Government shows that it was not intended at any rate for housing the Council, because the legislative council hall is really quite different from a public hall which is open for all kinds of public meetings. From that point of view therefore it is not fair to the people of Bombay to deprive them of the use of the hall for the purpose for which it is intended. That is one thing.

The other thing is that ever since the inauguration of the Council we have been feeling the necessity of a decent council hall for this new assembly which marks a new departure in the history of our legislature. But then the question of deficit budget has been facing us from the very beginning. When I was in the first council I remember and I can inform honourable members that there was a deficit budget and when the question of council hall came up it appeared to me that it was not the time

[Rao Bahadur R. R. Kale]

to launch on a scheme of such huge expenditure in that year. After the six years that have passed since then we still see that there is very little hope of improvement in our financial position. I think we ought to have a proper House. The public galleries are really a misnomer and there is no library as such. The Council must have a good library where we can get all the records, reports and debates of old proceedings for our use. One feels a great disadvantage in not having a good library for the use of the members of this House. I am not one of those who think that we can bask in the sun or sit on the shore. We must have a decent house where we can carry on our important deliberations. I submit that it is high time that Government should make up its mind for going in for a building for our deliberations in a proper manner.

As regards the amendment I would ask the honourable House to remember that if we merely purchase the property and keep it it will be no use. It will be simply keeping the money idle. It seems to me therefore that if at all we want to go in for a house of our own we should get the building and make the necessary arrangements so that by the next year our council will be housed in the new hall. I would therefore strongly advice my honourable friend to withdraw his amendment and whole-heartedly support the original resolution.

Mr. J. ADDYMAN (Bombay City) : Mr. President, I must say I am extremely surprised that there should be any opposition whatsoever to the resolution before the House. The reasons for opposing put forward by the honourable members Mr. Ginwala and Mr. Swaminarayan I feel are very flimsy indeed. The honourable member Mr. Swaminarayan appears, after all, to desire a new Council Hall and he appears to want this hall erected on the sea-front where we can enjoy the sea breeze. After expressing himself so far the honourable member then said that we did not want a Council Hall at all because the necessary expenditure on same would increase the burden of taxation on the agriculturist. He, therefore, does not appear to be quite consistent.

It has been stated that we have already a Council Hall. I am of the opinion that the present hall is not even a substitute for a Council Hall. The non-official members who come here with a desire to decide every question on its merits—as I believe every non-official member ought to do—find it extremely difficult to hear any honourable member at any distance. The arrangements are most unfortunate and unsatisfactory and it is impossible to hear beyond the front benches. The time is indeed past when we should possess a Council Hall where we can at least hear each other, where suitable Committee Rooms are provided, where we can adjourn for tea in comfort, where, I hope, an adequate library will be provided, and where the lavatory accommodation will be far better than the accommodation downstairs.

I am afraid the honourable members who oppose are rather afraid that they may be taken to task if they support Government on this occasion. I think they need have no fear of that.

What we do most urgently require is a Council Hall worthy of the name, and I strongly support the resolution.

Khan Saheb ABDUL LATIF HAJI HAJRAT KHAN (Poona and Sholapur Cities) : Sir, in supporting this resolution I want to draw the attention of the Honourable the Finance Member to the fact that no detailed estimates have been submitted to this House. The details given are :

	Rs.
Purchase of Sailors' Home	4,44,000
For constructing new Council Hall	2,49,000
For additions and alterations to Sailors' Home	33,000
For cooling and ventilating system	45,000
Electric installation in Sailors' Home	32,000
For new seats	27,000

This side of the House would have been able to suggest some reasonable cuts in these lump sum estimates, if they had been given the detailed estimates. I do not think it is necessary to spend Rs. 45,000 for a cooling and ventilating plant. The Bombay sessions are usually held in the cold weather, and the site is near the sea and we shall always get cool breeze blowing about it.

Unfortunately there is no provision for a hostel along with the building. In the absense of that, we mofussil members are put to great inconvenience. As honourable members are aware at Delhi hostel accommodation is made for mofussil members ; not only that, separate quarters have been constructed for them.

The Honourable Sir CHUNILAL MEHTA : But what does it cost ?

Khan Saheb ABDUL LATIF HAJI HAJRAT KHAN : I do not want to go to that extent ; but my submission is that without hostel accommodation, the Council hall will not be very useful. May I therefore suggest that one of the three storeys of the Sailors' Home should be converted into a hostel ? The Town Hall is no doubt inconvenient as regards acoustic properties, and while taking divisions all the doors cannot be closed and this it violates the first canon of ballot. With these suggestions I support the resolution.

MOULVI RAFIUDDIN AHMAD (Central Division) : Mr. President, I associate myself with the observations that have been so lucidly and eloquently made by the Leader of the House with regard to the necessity of our Council hall and its being in keeping with the dignity and utility of this Council. Sir, some objections have been raised, objections not as regards its necessity or utility, but objections with regard to present time being suitable for constructing same Hall. But, Sir, this is a matter which will have to be taken up either to-day or to-morrow ; nobody has denied the necessity of it. The members who attend this Council realise its difficulties all the more so when they compare their condition with that of some other country. You may take any civilised country or any democratic country, for comparison and Democrats States in this respect are much more sensitive. Go to France, go to Italy, go to America ; what do we find there ? Palatial buildings for the representatives of the people. Here, how are we situated ? We are actually ashamed to bring in visitors to the Council hall. Look at the

[Moulvi Rafiuddin Ahmad]

condition of the visitors; where are they? They are cooped up in a place where any lady or gentleman will be ashamed to be placed.

There is another aspect which we should not lose sight of. As has been already pointed out by my honourable friend Rao Bahadur Kale, we have not a decent library and no decent place for it. We have no decent place where we can go to dine, no decent place where we can talk over any business. When we have to meet a Member of Council or Minister, we have to go to a place which is like a third-class waiting room or refreshment room, and no sooner we begin to talk other persons come in, and privacy is destroyed. For the purpose of maintaining the dignity of the House and enjoying its amenities, it is absolutely necessary that we should have building worthy of the Council. Then why postpone the evil hour? More the building must come one day. As we have to spend the money, let us spend it now. Money cannot be used for a better purpose. I therefore request that this resolution should be unanimously passed by this honourable House.

Mr. N. A. BECHAR (Karachi City): Mr. President, late though I was to hear the debate that was proceeding before I came here, I must confess to you, Sir, that the few speeches that I heard made upon my mind the impression that we are entering into the realm of unreality. Sir, I fully associate myself with every remark which has fallen from my honourable friend Mr. Swaminarayan, and I candidly confess that all this talk about having a Council hall is meant for nothing but our own edification. Our friend Mr. Kale.....

An Honourable Member: Rao Bahadur Kale.

Mr. N. A. BECHAR: You will call him "Rao Bahadur," but I call him simple "Mr.," "Rao Bahadur" and "Sir" have no charm for me.

The Honourable the PRESIDENT: At any rate the honourable member will address him as "the honourable member Mr. Kale."

Mr. N. A. BECHAR: The honourable Mr. Kale.

An Honourable MEMBER: It should be "the honourable member, Mr. Kale."

The Honourable the PRESIDENT: Order, order. Will the honourable member proceed?

Mr. N. A. BECHAR: When the honourable member from Satara, the honourable member Moulvi Rafiuddin Ahmad who has occupied the seat of the leader of the Opposition—although I do not know if he has ever opposed Government—were speaking, I candidly confess that I thought that we were really living in an atmosphere of unreality in this House. I may now refer to the remarks of my friend, Mr. Addyman, who represents the European constituency. He says that Mr. Swaminarayan is somewhat inconsistent, but let me tell him that inconsistency is the bugbear of fools. That is what a great and eminent man has said and I can point out some books of reference to him. Consistency and inconsistency are relative terms which have no value. We have to see whether the hall is going to do more service or not. We have also to see whether

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it is in the interest of the public. What work are we going to show to our constituency ? When we say that we voted for Rs. 8 lakhs for the building of a Hall at such times they will simply hang me by the nearest tree. Surely, Sir, the British does not depend upon backbay or building a Council Hall and I hope that Government will not make this a party question and that they will leave every member to vote as he pleases. I am sure humanity will not be lost upon that side of the House. I oppose this resolution on the ground that this is not time to spend this large amount for this purpose, and I hope the House will not support this resolution.

The Honourable the PRESIDENT: The honourable member Mr. Chandrachud.

Mr. G. L. WINTERBOTHAM : I move for a closure, Sir.

The Honourable the PRESIDENT: I have already called upon the honourable member Mr. Chandrachud to speak and I will accept the closure after that.

Mr. N. B. CHANDRACHUD (Poona City) : I am one of those who are against the luxuries of costly buildings. I am in favour of doing the solid work which will be judged by future historians as beneficial to the masses. When I came here to this Council Hall to-day, I was asked whether I was going to vote against this resolution and I said " We do not want costly buildings and, therefore, I am going to vote against this resolution. " But when I was told by honourable the Leader of the House that this building was a private property, more or less a public property, and that Government had no right to make any alterations, I have changed my mind. If Government has no right to make any alterations to the present building, then I would say that we should have a building of our own. Some honourable members have told us that instead of having costly buildings we shall sit under the Sun. But I may say that that is nothing but oratory. The Bombay Council sitting under the shade of a tree with its President here or there will be a very very grand sight to look at in the open street. Look at this point from the business point of view. I am sure if you support this resolution, the future generation will bless you. I will give you one instance in this respect. The Poona municipality wanted to have a hall of their own. This was about 30 years ago. At that time the members present voted for this hall and they were called as traitors to the country, as persons who squander public money. But what do we find afterwards ? We find that the next generation is blessing them, because the value of the properties is increased, and the building, which was built at a cost of Rs. 40,000 is now worth about Rs. 2 lakhs. I again say that to tell this House that we shall sit on the Back Bay or under the shade of a tree is not a common-sense proposal and I request the honourable members to vote for this proposal.

Mr. G. L. WINTERBOTHAM : Sir, I move for a closure.

The Honourable the PRESIDENT : I accept the closure.

The Honourable Sir CHUNILAL MEHTA : I have really not very much to add. With regard to the suggestion that fell from the honourable

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member Mr. Ginwalla, I find that the difficulty of securing the Cowasji Jehangir Hall is exactly the same as for this hall. That hall is a good hall for the purpose of hearing. Under the Trust Deed we cannot use it continuously as it would deprive the citizens of Bombay the use of it. You will therefore observe that the same difficulty that applies to this place will also apply there, while in the Sailor's Home we shall be able to construct the new hall according to our requirements. Now, with regard to the suggestion made by the honourable member for Sholapur, I did not know that all the members or the majority of the members of the Council, who come from the mofussil, desire to have quarters built for them. If there is such a desire, we should certainly like to consider if the Sailor's Home can be adapted for use in this manner. The cost of this is of course not included in this estimate. While giving no undertaking that it will be done, I certainly say that the question will be carefully considered.

Dr. B. R. AMBEDKAR : For how many months we shall be using that hall.

The Honourable Sir CHUNILAL MEHTA : We shall certainly continuously use it for one month for Council meetings. But it is impossible to say how long it will be used after 1929. It can of course be used for other purposes also.

Now, Sir, I want to say one word about the amendment that my honourable friend for Nasik has moved. He suggests, as I understand him, that Rs. 4,44,000 should be spent in acquiring this building and that further expenses should be incurred later on. But I may say that it will involve a large expenditure by way of interest and sinking fund or Rs. 4,44,000 without getting any return. Therefore the sooner the new hall is built and the sooner we get it into use we shall get some return for our money. I may mention to this House that if the Council passes this motion now the work will be taken in hand at once and probably next year this Council will meet in the new hall. It is therefore desirable if the Council wishes to spend any money at all that the hall should be built at once.

Mr. R. G. PRADHAN (Nasik District) : Sir, in the light of the debate and in the light of the remarks that have just been made by the Honourable the Leader of the House, I ask for leave to withdraw my amendment.

Question put and leave granted.

The Honourable the PRESIDENT : Now, the original motion is put to the House.

Mr. F. J. GINWALLA : Sir, one honourable member has objected to the amendment being withdrawn it will, therefore, have to be put to the vote.

The Honourable the PRESIDENT : I thought that the "No" was not quite seriously loud enough. May I know who said no?

Mr. F. J. GINWALLA : The honourable member Mr. Swaminarayan.

The Honourable the PRESIDENT : Now, may I ask whether the honourable member seriously meant it?

Mr. J. C. SWAMINARAYAN : Yes.

The Honourable the PRESIDENT : Then, if that is so, I put the amendment of the honourable member from Nasik (Mr. R. G. Pradhan), which is not permitted to be withdrawn, to the vote first.

Question put and lost.

The Honourable the PRESIDENT : Honourable members ought to help the President in saving time because I was perfectly right in taking it to be a mere technical "No" rather than a serious "No." Now, I put the original resolution, as moved by the Honourable the Leader of the House, to the vote.

Question put. House divided ; Ayes, 52 ; Noes, 24. Motion carried.

Division No. 5

Ayes

ABDUL LATIF HAJI HAJRAT KHAN, Khan Saheb
ADDYMAN, Mr. J.
AHMAD, MOULVI RAFI UDDIN
ALLAHBAKSHI wazir Khan Saheb HAJI MAHOMED UMAR, Mr.
ANDERSON, Mr. F. G. H.
BALAK RAM, Mr.
BHUTTO, Khan Bahadur S. N.
BOLE, Mr. S. K.
BROWNE, Mr. D. R. H.
CHATTFIELD, Mr. G. E.
DABHOLKAR, Sir VASANTRAO
DAGUMIYA, Mr. G. A.
DESAI, the Honourable Dewan Bahadur HARILAL D.
DESAI, Mr. J. B.
DUGUID, Mr. A.
GHOSAL, Mr. J.
GHULAM NABI SHAH, Khan Saheb
GILDER, Dr. M. D.
HARRISON, Mr. C. S. C.
HATCH, Mr. G. W.
HOTSON, the Honourable Mr. J. E. B.
JAN MAHOMED KHAN, Khan Bahadur
JEHANGIR, the Honourable Mr. COWASJI
JONES, Mr. W. E.
KALE, Rao Bahadur R. R.

KAMBLE, Rao Bahadur S. T.
KAY, Sir JOSEPH
LALJI NARANJI, Mr.
MANSURI, Khan Saheb A. M.
MARTIN, Mr. J. R.
MEHTA, the Honourable Sir CHINTLAL MONTEATH, Mr. J.
MUJUMDAR, Sardar G. N.
MURZBAN, Mr. P. J.
NANAL, Mr. B. R.
NOOR MAHOMED, Mr.
OWEN, Mr. A. C.
PAINTER, Mr. H. L.
PATASKAR, Mr. H. V.
PERRY, Mr. E. W.
PETOE, Mr. F. W.
PRADHAN, the Honourable Mr. G. B.
RIEU, the Honourable Mr. J. L.
SAIED MUNAWAR, Mr.
SHAIKH ABDUL AZIZ ABDUL LATIF, Mr.
SMYTH, Mr. J. W.
SOLANKI, Dr. PUBUSHOTTAMRAI G.
TAUNTON, Mr. I. H.
TURNER, Mr. C. W. A.
WADIA, Mr. C. N.
WILES, Mr. G.
WINTERBOTHAM, Mr. G. L.

Tellers for the Ayes : Mr. B. T. DESAI AND Mr. J. C. SWAMINARAYAN.

Noes

AMBEDKAR, Dr. B. R.
ASAFLE, Mr. R. S.
BECHAR, Mr. N. A.
BHOSLE, Mr. M. G.
CHIKODI, Mr. P. R.
DESAI, Mr. B. T.
DESAI, Rao Saheb D. P.
DESEPADNE, Mr. L. M.
FIRODRA, Mr. K. S.
GINWALLA, Mr. F. J.
JATRAMDAS DOULATRAM, Mr.
JITERKAR, Mr. HAJI IBRAHIM HAJI MAHOMED

JOSHI, Mr. S. C.
KARKI, Mr. M. D.
PAHALAJANI, Mr. B. G.
PATEL, Mr. J. R.
PATIL, Rao Saheb D. R.
RAHINTOOLA, Mr. HOOSFNALLY M.
RAJNAL LAKHICHAND, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHETH, Mr. A. D.
SURVE, Mr. V. A.
SWAMINARAYAN, Mr. J. C.
VANDIKAR, Rao Saheb R. V.

Tellers for the Noes : Mr. J. ADDYMAN AND Mr. R. G. PRADHAN.

The Honourable the PRESIDENT : As for the time for our sitting to-morrow, I understand there is an agreement that we sit from 12 to 3-30. The House will therefore meet to-morrow at 12 noon.

The House will now adjourn till 12 noon to-morrow Tuesday, the 1st March 1927.

Vol. XIX

Part X



Bombay Legislative Council Debates

Official Report

Tuesday, March 1, 1927

[Price—Annas 3 or 6d.]

BOMBAY

PRINTED AT THE GOVERNMENT CENTRAL PRESS

1927

Obtainable from the Superintendent of Government Printing and Stationery,
Bombay; from the High Commissioner for India, 42 Grosvenor Gardens,
S.W. 1, London; or through any recognized Bookseller

Tuesday, the 1st March 1927

The Council re-assembled at the Town Hall, Bombay, at 12 noon, on Tuesday, the 1st March 1927, the Honourable the President, Mr. A. M. K. DEHLAVI Bar-at-Law, presiding.

Present .

ABDUL LATIF HAJI HAJRAT KHAN, Khan Saheb.
 ADDYMAN, Mr. J
 AHMAD, MOULVI RAFTUDDIN
 ALLAHBAKSH *walad* Khan Saheb HAJI MAHOMED UMAR. Mr.
 AMBEDKAR, Dr. B. R.
 ANDERSON, Mr. F. G. H.
 ANGADI, Rao Bahadur S. N.
 ASAYLE, Mr. R. S.
 BALAK RAM, Mr
 BECHAR, Mr. N. A.
 BHOSLE, Mr. M. G.
 BHURGRI, Mr. J. W.
 BHUTTO, Khan Bahadur S. N.
 BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN.
 BIRADAR, SARDAR MAHABOOBALI KHAN.
 BOLE, Mr. S. K.
 BROWNE, Mr. D. R. H.
 CHANDRACHUD, Mr. N. B.
 CHATFIELD, Mr. G. E.
 CHIKODI, Mr. P. R.
 DABHOLKAR, Sir VASANTRAO
 DAGUMIYA, Mr. G. A.
 DAUDKHAN SHALEBHOY, Mr.
 DESAI, the Honourable Dewan Bahadur HARILAL D.
 DESAI, Mr. B. T.
 DESAI, Mr. J. B.
 DESAI, Rao Saheb D. P.
 DESHPANDE, Mr. L. M.
 DIXIT, Dr. M. K.
 DUGUID, Mr. A.
 FIRODEA, Mr. K. S.
 GHOSAL, Mr. J.
 GHULAM HAIDAR SHAH, Mr
 GHULAM NABI SHAH, Khan Saheb
 GILDER, Dr. M. D.
 GINWALLA, Mr. F. J.
 GUNJAL, Mr. N. R.
 HARRISON, Mr. C. S. C.
 HATCH, Mr. G. W.
 HOTSON, the Honourable Mr. J. E. B.

JADHAV, Mr. B. V.
 JAIRAMDAS DOULATRAM, Mr.
 JAN MAHOMED KHAN, Khan Bahadur
 JANVEKAR, Mr. D. A.
 JATOI, Khan Bahadur HAJI IMAMBAKSH KHAN
 JEHangIR, the Honourable Mr. COWASJI
 JITEKAR, Mr. HAJI IBRAHIM HAJI MAHOMED
 JOG, Mr. V. N.
 JONES, Mr. W. E.
 JOSHI, Mr. S. C.
 KALE, Rao Bahadur R. R.
 KAMBLI, Rao Bahadur S. T.
 KARKI, Mr. M. D.
 KAY, Sir JOSEPH
 LALJI NARANJI, Mr.
 LALLJEE, Mr. HOOSAINBHoy ABDULLAHoy
 LINGADE, Mr. S. P.
 MAJMUdAR, Mr. N. G.
 MANSURI, Khan Saheb A. M.
 MARTIN, Mr. J. R.
 METHA, the Honourable Sir CHUNILAL
 MIR MAHOMED BALOOH SHAIKH, Mr.
 MONTEATH, Mr. J.
 MUJUMDAR, Sardar G. N.
 MUKADAM, Mr. W. S.
 MURZBAN, Mr. P. J.
 NAIK, Rao Bahadur B. R.
 NANAL, Mr. B. R.
 NOOR MAHOMED, Mr.
 OWEN, Mr. A. C.
 PAHALAJANI, Mr. B. G.
 PAINTER, Mr. H. L.
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 PERRY, Mr. E. W.
 PETOH, Mr. F. W.
 PRADHAN, the Honourable Mr. G. B.
 PRADHAN, Mr. R. G.
 RAHIMTOOLA, Mr. HOOSENALLY M.
 RAJMAL LAKHICHAND, Mr.
 RIEU, the Honourable Mr. J. L.
 SARDESAI, Mr. S. A.
 SAYED MUHAMMAD KAMIL SHAH
 SAYED MUNAWAR, Mr.
 SHAIKH ABDUL AZIZ ABDUL LATIF, Mr.
 SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
 SHETH, Mr. A. D.

SHIVDASANI, Mr. H. B.
 SMYTH, Mr. J. W.
 SOLANKI, Dr. PURUSHOTTAMRAI G.
 SURVE, Mr. V. A.
 SWAMINARAYAN, Mr. J. C.
 TAUNTON, Mr. I. H.
 THORNER, Mr. J. P.
 TURNER, Mr. C. W. A.
 VANDEKAR, Rao Saheb R. V.
 WILES, Mr. G.
 WINTERBOTHAM, Mr. G. L.

The Honourable the PRESIDENT: Order, order. Demands for grants.

DEMANDS FOR GRANTS

The Honourable Mr. J. L. RIEU: Sir, I move for a grant of Rs. 56,66,000 under the head of 5-Land Revenue.

The Honourable the PRESIDENT: A demand has been made for Rs. 56,66,000 under 5-Land Revenue.

The first motion is by the honourable member Mr. Sheth to omit the total demand of Rs. 51,86,000.

Mr. A. D. SHETH (Ahmedabad District): Mr. President, the motion of which I have given notice is

“ Omit total demand Rs. 51,86,000. ”

I propose the motion only with a view to raise a debate on the famine policy of Government, with regard to which an adjournment motion was proposed to be moved by my honourable friend from Eastern Sind (Mr. Jairamdas Doulatram), and which was ruled out of order.

Mr. W. S. MUKADAM: Sir, I rise to a point of order. From my experience of the last three years, I think that lump sum cuts are always taken last, and the other items are taken first.

The Honourable the PRESIDENT: No; it is the other way about.

Mr. A. D. SHETH: Sir, A considerable number of things have been said.....

Mr. J. C. SWAMINARAYAN: I rise to a point of order, whether this motion for the omission of the total demand is in order, because when the demand is put, the honourable member proposing the present motion can oppose it entirely.

The Honourable the PRESIDENT: I did not follow the honourable member. This is a motion for the omission of the demand.

Mr. R. G. PRADHAN: Sir, I rise to a point of order. I invite your attention to Rule 30 of the Bombay Legislative Council Rules. Clause (4) of that Rule says:

“ No motion shall be made for the reduction of a grant as a whole until all motions for the omission or reduction of definite items within that grant have been discussed. ”

[Mr. R. G. Pradhan]

In view of that, the contention which was raised by my honourable friend that this motion for the complete omission of the total demand cannot be taken up at this stage appears to me to be correct.

The Honourable the PRESIDENT : Yes, but I may draw the attention of the honourable member to page 279 of the Council Manual, which contains "Instructions for the preparation of motions under Rule 30 of the Bombay Legislative Council Rules".

Under paragraph 4 (a) the last portion says :

"Motions to omit should be placed before motions to reduce *inter se* the motion proposing the bigger reduction should be placed before that proposing a smaller reduction."

The rule the honourable member has quoted, namely.

"No motion shall be made for the reduction of a grant."

refers to the reduction of a grant and not to omission.

Mr. R. G. PRADHAN : The subsequent portion is :

"No motion shall be made for the reduction of a grant as a whole until all motions for the omission or reduction of definite items within that grant have been discussed." Therefore first of all motions for omission or reduction of definite items will have to be discussed.

The Honourable the PRESIDENT : The motion is for the omission of a definite item and according to the instructions it must come first.

Mr. R. G. PRADHAN : I bow to your ruling, Sir.

The Honourable Sir CHUNILAL MEHTA : May I say, Sir, that your ruling appears to be correct, because the rule the honourable member Mr. R. G. Pradhan read says 'reduction of a grant as a whole, that is to say, it should be a lump reduction, whether of the whole amount or ten lakhs or one rupee. That is the distinction. They must be taken last.

Mr. A. D. SHETH : Many things have been said both in this House as well as outside it regarding the famine conditions prevailing in some parts of the presidency. I have to thank the honourable House for the sympathy they have expressed with the famine stricken people of my constituency. I thank the Government also for the very immediate sanction they have given to the Revenue Department to give the necessary help to that taluka. I would be failing in my duty if I do not mention one thing in this connection, namely, about what the honourable member Mr. Chatfield said in this House in his budget Speech : some caustic remarks are made outside this House in this connection. As one most concerned in this matter I have to say that what Mr. Chatfield said here was a mere statement of fact as reported to him. But he never justified it, nor said that it was right. The whole misunderstanding has come out of one thing ; that is, he was understood to have seen nothing distressing in people eating *damro*. That is a misunderstanding. He did not mean it, as I understood him. Now Sir, according to Mr. Chatfield himself, people there do eat *damro* even in good times. It proves that the poverty is so acute there. In that taluka poverty has

[Mr. A. D. Sheth]

made its permanent home and famine conditions prevail always. The poverty is so acute there that people have to train themselves to eat grass corn. I ask whether such conditions to prevail always is in any way creditable to the Government? Government is here to govern people, to give them bread and water; they are the custodians of the people's good. Would it be creditable to them to say that this condition prevails even in good years. I want to know from Government what serious steps they have undertaken or attempted to undertake to remedy these permanent conditions? I think that no Government, however bad, however poor, however inefficient would be justified in allowing these conditions to continue any longer. I would not at this stage refer to the immediate relief which has been granted by the Revenue Department, but I will merely lay stress on the permanent famine conditions that remain there which has been admitted by the honourable member Mr. Chatfield. Is it not a crime on the part of the government to tolerate all these things, people eating grass corn, without trying to find out permanent solution for this evil?

I would in this connection suggest some remedies as well. I have been residing in this taluka only for the last five years. During this short period I have mixed with the people and talked with them personally and all of us have come to one conclusion. That there is only one reason for this state of affairs and there is only one remedy for it. The reason for this plight is the breaking of the Dholera port and the remedy for it is the reviving of it. This fact people have mentioned in their applications to Government. I wish to merely point out that 40 or 50 years ago the people of the Dhandhuka taluka were fabulously rich, when the ports of Dholera, Jamnagar and Bhawnagar were tiny little things. The Dholera port had a great name and roaring trade. These unfortunate people were once very rich. I will mention only one instance. Some members of the taluka board including myself went round these villages and met many of the agriculturists. In one village an agriculturist told us that in the very place where I was standing women used to do their household work with golden ornaments on their legs.

Mr. B. V. JADHAV : On the legs ?

Mr. A. D. SHETH : On the legs.

Mr. B. V. JADHAV : Is that right ?

Mr. A. D. SHETH : That gentleman told me that he was a personal eye-witness to it twenty years ago. That was the prosperous condition of the village then ; that village has now only four inhabited huts, and the rest of the village is gone. That is the condition throughout this tract which was once so wealthy and prosperous. People have nothing to eat ; not only in famine years, but, as admitted by the honourable member Mr. Chatfield, even in good years, some of them have to live on grass corn. Therefore, I suggest that the only remedy for this great evil of permanent famine in this tract is to revive the port of Dholera which was once a great port and even now gives hopes of revival if sufficient attention is paid to it. I have placed the report of the taluka

[Mr. A. D. Sheth]

local board in the hands of members of the Legislative Council, and they recommend this step, and I would like to know what the attitude of Government is in this matter of affording permanent relief to these talukas.

With these remarks, and particularly with a view to know Government's mind on the matter of permanent relief to this taluka, I have made this motion. I now resume my seat.

Mr. V. A. SURVE (Ratnagiri District) (Addressed the House in Marathi) : Sir, in supporting this motion, I want to bring to the notice of the House the policy of Government with regard to revision settlements. These settlements are held at the sweet will of Government every twenty or thirty years. At the time of revision they do not take into consideration the condition of the crops ; and once the settlement is made even though crops fail the revenue is collected. The effect of this in the Ratnagiri district is that three-quarters of the cultivable area is unproductive to the tillers. There are in all four kinds of trees whose leaves are useful to the agriculturists, but the agriculturists are practically prevented from using them freely. In answer to questions by Messrs. P. G. Joshi and R. G. Soman, the Honourable the Leader of the House, who was then Revenue Member, gave an undertaking that there would be no revision settlement enforced until the report of the Land Revenue Committee was published by Government. Government have now broken their promise ; they should not be allowed to do so.

The Honourable Sir CHUNILAL MEHTA : Sir, I would like to rise to a point of order. I understood the honourable member to say that in reply to questions by Messrs. P. G. Joshi and R. G. Soman, as Revenue Member, I had given an undertaking that there would be no revision settlement until the report of the Land Revenue Committee was considered by Government and a decision was arrived at on it. I think the honourable member further went on to say that an undertaking like this should not be broken. I should like the honourable member to substantiate by reference to the records what has just been said. I do not believe that any such undertaking has been given.

Mr. V. A. SURVE : Sir, I withdraw my words. At present I am not able to quote from records, but I remember that the reply was given in answer to a supplementary question put either by Mr. Joshi or Mr. Soman.

The Honourable Sir CHUNILAL MEHTA : Mr. President, the honourable member still persists, and says that even if there was no such answer given to the original question, that was the answer given to a supplementary question ; but he is unable to verify from the records. The honourable member knows that all answers, whether given to the original question or to a supplementary question, are published in the records of this House.

MOULVI RAFIUDDIN AHMAD : I do not understand what the Honourable Leader wants.

The Honourable Sir CHUNILAL MEHTA : I say that the honourable member is quite incorrect. Sir, before making, what I consider to be a wild statement of this character the honourable member should have it verified by a reference to the records.

Rao Saheb D. P. DESAI : (Made a remark which was inaudible).

The Honourable the PRESIDENT : The honourable member for Ratnagiri will go on.

Mr. V. A. SURVE : It is generally found that Government Members do not keep the promises they give to members of this Council.

The Honourable Sir CHUNILAL MEHTA : Sir, I must now ask for your ruling as to the extraordinarily wild manner in which the honourable member is speaking. He is attacking all Government Members, and he has doubted their word in the Council, which I consider ought not to be allowed. I hope, Sir, you will ask the honourable member to withdraw what he has said.

Mr. R. G. PRADHAN : Probably the honourable member does not understand what the Honourable the Leader of the House says.

Mr. F. J. GINWALA : The honourable member was quite Parliamentary.

The Honourable the PRESIDENT : Order, order.

Rao Saheb D. P. DESAI : (Rose).

The Honourable the PRESIDENT : Honourable members must remember that when the President is addressing the House, no honourable member should stand in his seat. As the honourable member for Ratnagiri does not seem to understand English much, will the honourable member for Nasik translate in Marathi what I say.

Mr. R. G. PRADHAN : Yes, Sir.

The Honourable the PRESIDENT : The honourable member for Ratnagiri has been making statements which are challenged by the Honourable the Leader of the House. He has definitely stated that in answer to supplementary questions the Honourable the Leader of the House as the Honourable Revenue Member had stated to the House that no assessment would be increased until the report of the Settlement Committee was before Government. He has been called upon to point that out, but the honourable member cannot point that out and still he goes on following the same argument which is not correct.

The Honourable Sir CHUNILAL MEHTA : Sir, the honourable member in reply has stated that he is at present unable to confirm what he has stated. But he goes further and says that an undertakings given by Indians generally are not being respected. I should consider such an aspersion below the dignity of any member of this House, especially an Indian member. Therefore, I ask your protection that this statement should categorically be withdrawn.

The Honourable the PRESIDENT : If the honourable member has said so, will he withdraw those words or explain what he means by that ?

An Honourable MEMBER : What he said is that Government do not generally keep an undertaking when given by Indian officers.

The Honourable Sir (HUNILAL MEHTA : That comes to exactly the same thing. In this case the Indian officer was a Member of the Government and the honourable member will have to withdraw the words.

The Honourable the PRESIDENT : Unless the honourable member explains what he means by those words, he will have to withdraw his words.

Mr. V. A. SURVE : (Addressed the House in Marathi) : Sir, at present I am not able to support my argument with records, but we shall deal with this point on any further occasion. I therefore withdraw my words. I may state further that whatever assessment has been increased by Government is quite unjust and unfair. No attention has ever been paid by Government to the fact, namely, whether the crops fail or not, the farmers are called upon to pay the assessment according to the Revision Survey. We find that in the Ratnagiri district the state of affairs is very critical so far as crops are concerned. Some lands are almost rocky and nothing can be produced out of those lands, still the farmers are paying taxes for those lands as they are included in the Revenue Survey. Nearly $\frac{2}{3}$ ths of the lands are quite unproductive and the farmers are still called upon to pay the taxes. As I have already stated, since Government object to the leaves of the four kinds of trees, *Ain*, *Nanya*, *Kingal* and *Gavthi Sag*, required for farming being used by the farmers, I would tell Government that they will not be able to effect farming.

Therefore I urge that the old system should be restored. The Honourable the Revenue Member of the Government should remedy the difficulties caused by the present revision assessment system. If the Government really want to look after the welfare of the agriculturists, as they so often say they want to do, then they should consider whether what they do at present is really in the interests of the agriculturists or not. Now, if any traders or merchants come and offer to sell any manure, the agriculturists have not the ability to purchase the manure from them because of their extreme poverty. Therefore, Government should reserve certain forest trees or forest area for preparing good manure for agricultural improvement. It is very necessary to remedy these matters for the agriculturists. At present their condition is very miserable and pitiable. Therefore, this matter should be very carefully considered by Government.

Mr. M. G. BHOSLE (West Khandesh District) (Addressed the House in Marathi) : Sir, I strongly support the views put forward by my honourable friend Mr. Surve. The difficulties which he has explained pertain to trees which are used for manure. Government have reserved them at present for nothing ; they don't produce any manure out of them. It is just like forcing the poor agriculturists to die a slow death at present for want of the necessary facilities of manure and so forth. I mean, it is equivalent to that. It is even admitted by the Agricultural Department that it is absolutely necessary that these agriculturists should be provided

[Mr. M. G. Bhosle]

with manure without much cost to them. Government say that they are giving a lot of concessions to agriculturists. But, Sir, it is our sad experience that Government does not hesitate to impose as many burdens on the agriculturists as they like. Now, according to the Land Revenue Code, if there is any survey to be made, Government must take into consideration the whole condition of the agriculturists, what is to their benefit and what is not, and so on, and then fix any assessment. But that is not done. Government's anxiety, on the other hand, is : How much assessment can we increase now after 30 years ? Government always looks to such things, how much increase they can make and they can get out of the people now and how much increase they can get for the future. No economy is ever practised by Government in the case of any survey assessment. They only see how much was paid during the past 30 years and how much more they can get in the next 30 years. In these circumstances, in these days especially, when the prices of cotton have gone down, all that has a very bad effect on the agriculturists. Government know that the price of cotton has gone down by 8 annas in the rupee. And yet they do not do anything substantial for the poor agriculturists.

Then, God also sometimes comes in the way of these poor agriculturists by not providing sufficient rain very often. Sometimes there is too much rain, which spoils the crop ; on other occasions there is too little of it, which also hinders the crop. In these ways, the poor agriculturists suffer in one form or another. All these matters must be carefully considered by Government. Therefore, I appeal to them to see that the assessment rates do not go on increasing every 30 years or earlier even ; at present the agricultural income is decreasing and the rates of assessments are increasing. Speaking generally, more or less from 1914 to 1926 the prices of cotton have gone on increasing. In the same proportion the revision survey is also increased. But now the prices of cotton have considerably fallen down, and yet the assessment remains the same or is increasing further. Therefore, Government should bear all these points in mind, and seeing that the agriculturists have suffered a great loss owing to the fall in the prices of cotton, they ought to give substantial concessions to them.

Mr. G. E. CHATFIELD : Sir, I understand that the proposed omission of this item from land revenue has been moved as a kind of protest against the land revenue policy of Government and the mover, the honourable member for Ahmedabad, has specially brought forward the case of Dhandhuka, in which, as he says, there has been partial failure of crops and a considerable amount of distress. I would like to thank him, in the first place, for the generous way in which he has rightly explained what I intended to say in my remarks the other day on this subject. When I said something on this question of eating *damro*, or what is called wild grass, the other day, my meaning was not that I approved or considered it a satisfactory state of affairs that the people should be so poor that they should be obliged to carry on by living upon such poor food as *damro*. That was not my meaning at all. But, as

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has been rightly explained, I said this was not a new custom. This custom of eating *damro* was a general one, which existed even in the best years and, therefore, the mere fact that people were eating this *damro* in any village could not itself be taken as a proof of famine existing. I am in agreement with the honourable member for Ahmedabad as regards the poor conditions of this particular Bhal tract which covers a portion not only of the Dhandhuka taluka but also of the Dholka taluka. The people are certainly extremely poor there and I do not think that that is a state of affairs upon which we can at all congratulate ourselves. If anything can be done for these people, certainly it should be done. But I do not suggest that I am in agreement with the honourable member as regards the causes of this state of affairs. He put it down, I understand, entirely to the failure of the old port of Dholera. I do not know whether he has considered—I think he has considered—I have seen something about it in the note which he sent to all members of this honourable House—that the reason that the port of Dholera has fallen into decay is really partly natural and partly owing to the tendencies of the times. In the first place, the gulf of Cambay is rapidly silting up and the port of Dholera is getting further and further away from the sea. It is further off than when I first knew it ten years ago. It is now quite eight miles from the sea. I have not been there for some time, but I am sure that now it is further from the sea than when I first knew it. That is a natural phenomenon. There are many ports in other countries, there are many ports in England, which have receded considerably from the sea. That is a thing with which one cannot contend. I think Bhavnagar must have been a much bigger port than even Dholera say 40 year ago; but whether that is so or not, it is the largest port in that neighbourhood at the present day, and I believe that the port of Bhavnagar is similarly doomed. The time cannot be far distant when that port will become useless just as the port of Dholera has become. There is a great natural port which is far finer than Bhavnagar and far finer than Dholera ever was—the port of Ghogha. But unfortunately, owing to the engagements entered into by the Bombay Government some fifty years ago, we are bound by treaty not to continue the railway through Bhavnagar on to the port of Ghogha. If the railway was continued to Ghogha, that port would eclipse Bhavnagar and naturally the Bhavnagar State is not going to allow that railway to go on any further. But that is rather beside the point. The point is that the port of Dholera really has ceased to be a port. It is possible that you may find some other port to serve the tract and start a totally new harbour, but I think the actual town of Dholera itself is far far behind any hope of recovery.

Then, there is another factor, I may say almost a natural factor, which is militating against the prosperity of Dholera, and that is the fact that we have got the enormous industrial centre of Ahmedabad which is bringing about the decay of almost all of the district. There is also another town, the smaller towns, the town of Viramgam, which possesses mill industry, to be reckoned with; but the honourable member knows

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that the town of Dholka, which was never a sea-port, is rapidly falling into decay. The town of Dholera is on the railway while Dholka is not; but that fact has not saved the town of Dholka which is rapidly decaying. I believe some years ago the town of Dholka, like the town of Dholeru, was of enormous size with a population of something like 40,000 or 50,000. but now the population has fallen to something like 10,000. These are causes which I do not think Government can fight against.

There is another factor which militates against the prosperity of the Bhal tract. I will touch upon it very briefly because I believe that it is going to come before this House before the session is over; that is, the land tenure in the Bhal tract. This tract, I may say, nearly the whole of the Dhanduka taluka, is held under the talukdari tenure. My own opinion is that this fact has a great effect upon the poverty of the populace. In any case I should like to say this. In the Dhanduka taluka or in the Bhal tract generally, the accusation cannot be brought against Government that it is the high rate of assessment which causes poverty. I believe if the whole of the jama in the Bhal tract were swept away entirely, and if the talukdars paid no jama at all, the position of the tenants would be exactly what it is to-day. I do not know whether the honourable member agrees with me, but I do not believe that the lot of the tenants would be lightened at all. I do not think that any accusation can be brought against Government that the poverty in the Bhal tract at the present moment is due to any unreasonable demands on the part of Government. There may be errors of omission, but errors of commission do not exist in this instance. I should like to lay stress upon this point, so far as I was able to follow the honourable members who spoke after the speech of the honourable member from Ahmedabad, but the later speakers have been laying stress upon the heavy incidence of land assessment charged by Government. That is a factor which we do not find in the particular tract about which the honourable member from Ahmedabad has complained.

Mr. V. N. JOG (Dharwar District): Sir, I participate in this debate of protest chiefly on the ground that the Joint Parliamentary Committee has laid down that there may be legislation introduced in the various provinces regulating the principle of assessment and its revision at stated periods. That legislation is due before long. Though that is so and several resolutions were tabled during the previous sessions, unfortunately they were not reached and no legislation fixing definite principles has been introduced. There is that old section 107 still in the Land Revenue Code and therefore I wish to join in this protest that the Government should be pleased early to introduce this piece of legislation defining the principles of these revision settlements.

Coming to the next point, I wish to inform the House of the dire condition of some parts of the Karnatak where famine conditions prevail. Many of the honourable members and also the Revenue Member in charge must have read in the papers about the conditions prevailing in the Bijapur district. No doubt there is a difference between the Government

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communique and the reports as published by the President of the Congress Committee there. There is a difference also in the annewari of the crops. Whatever that may be, comparing both the statements, it can be seen and it is quite evident that the famine conditions in the Bijapur district are very severe, and I now must congratulate the efforts of the Honourable the Finance Member in securing a big remission of contribution from the Government of India even in this present year and also in the coming years. So my submission is that this sum of 28 lakhs of rupees which will be got in the remission of the contribution, should be liberally used towards the relief of distress wherever it is on account of famine conditions.

It is said that a certain sum is earmarked for granting loans as takavi during this year, to redress these grievances. But I am very doubtful whether projects can be undertaken during the course of this year. No doubt the officers of Government might be going round to see what relief works could be opened. Perhaps a whole month would be lost in designing the plan of these various relief works and distributing the amount. So, my suggestion is that the remedies which Government wish to apply in this respect should be expedited, even by employing more staff, and immediate relief brought to the doors of these people, who are suffering.

Then, I wish to bring to the notice of the Member in charge and also the officer concerned that part of the Dharwar district which is almost on the same level as Bijapur. I mention the pethas of Nargund and Navalgund. No doubt, there is failure of crops in the other talukas, namely, a part of Hubli, Dharwar, Karajgi and Kalghatgi. All these talukas require remission and suspension on a large scale, and the Government should come forward liberally to redress the grievances in that part of the presidency.

Another thing which I wish to bring to the notice of the House is that this part of the Karnatak, namely, the eastern portion of the Belgaum district, almost the whole of Bijapur and the eastern portion of the Dharwar district, are liable to famine frequently. One unfortunate circumstance which I have to bring to the notice of this House and the officers concerned, is that this part of the Presidency is many times classed as the Deccan. No doubt, in certain of the Government reports, latterly it is being classed as the Karnatak, but for the matter of irrigation and certain other departments this portion is classed with the Deccan. The result is that whenever they talk of big schemes of irrigation, this part is also included in the Deccan, and they say there are big irrigation schemes in the Deccan. But, when we take into consideration the territorial divisions, no doubt there are big irrigation schemes in Sind, and also big irrigation schemes in the Deccan, namely, the Pravara and the Nira schemes, but as we go below the Krishna, there are no irrigation schemes, and famine is frequently prevailing in those parts which I have already mentioned. No doubt, in those parts there are the big rivers such as the Malaprabha, the Ghataprabha, the Tungabhadra, and the Varada, but when the survey was made, they stopped with the Malaprabha

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and that survey was not pursued. There are big irrigation schemes in the Deccan, which have greatly tended to relieve the distress in the Deccan proper, and though the Government might have been discouraged on account of the failure of the Back Bay and other development schemes, I hope they will consider certain irrigation schemes which would relieve the distress in the part of the country which I have mentioned. No doubt, Government may not be in the mood, at this time, taking into consideration the failure of the schemes in Bombay city, to go in for fresh schemes, but if they want to stop the recurring famines in those parts of the country, they shall have to undertake certain schemes of irrigation. Though big schemes of irrigation cannot be undertaken just now, at least some minor irrigation works will have to be started, if the Government wish to relieve this part of the Presidency from the effects of famine. Therefore, I suggest that during the programme which has been laid down by the special superintendent, much of his attention should be devoted to this part of the presidency, which has not had the benefit of any irrigation schemes up to this time. I do not want to prolong the debate, which has already been prolonged on this side, but would conclude with a request that proper attention should be paid to this part of the presidency, which has been long ignored.

MR. H. L. PAINTER : Mr. President, there has been a discussion in this House, both at the time of the general discussion of the budget and now, on the subject of what is called the famine prevalent in different parts of the country. This subject, as regards Gujarat, has been dealt with by my brother-Commissioner of the Northern Division, and now the honourable member Mr. Jog has, as I expected he or somebody else would, raised the same matter as regards the Karanatak. That honourable member made a very moderate speech indeed, and has not given evidence of being swayed by the motives which appear to have largely animated recent articles in the press, but he has referred to what has appeared in the press, and he calls the conditions famine conditions. Well, Sir, I think there is a misunderstanding, generally, on the meaning of the word famine itself. Famine, I suppose, means want of food, in part starvation. In the Indian vernaculars the expression *dushkal* or *dukal* merely means a bad time ; it does not mean starvation. If, in what has appeared in the papers the state of the Southern Division, the writers talked of *dushkal*, then I could follow them, but if they talk about famine, meaning that there is starvation, which they actually do imply, then I am afraid that I must join issue with them. It is perfectly true that the late rains in October and November not having materialised, the rabi crops in the Bijapur district and in the eastern parts of the Belgaum and Dharwar districts are very poor and, in some cases, non-existent. But the early rains were quite good, and the kharif crops, although not so important generally in those districts as the rabi crops, but still of considerable importance and in some few villages even more important than rabi crops, were quite good. The chief rabi crops are wheat, jowar and cotton. Cotton is not so bad, but I do admit that wheat and rabi jowar are bad. Kharif jowar, which is more important

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than rabi jowar, having been quite good, it follows that there is no fodder famine to deal with, and the chief trouble which Government generally has when there is a shortage of rains, that is want of fodder, is absent. As it was pointed out in the Government press note we are actually buying fodder from fodder depots at the old price of last year at $2\frac{1}{2}$ khats per rupee. The suggestion that has been made that people are so poor that they will sell their fodder at any price need not be taken seriously. So there is no fodder famine and the only trouble is that the rabi crop is a poor one. If we take the ordinary estimation of the crop as described by the ryot instead of the rather complicated and difficult method of annewari valuation, we can say that crops are *uttam*, bumper, or *sadhara*n, meaning ordinary, or that the year is a *kari sal*, meaning that there are no crops at all. I may say that in very few villages is a *kari sal* alleged, but I quite agree with the description of *sadhara*n, which is heard generally in most of the villages. The out cry in the press to which the honourable member from Dharwar alluded has been largely on two points. First the necessity of remissions and suspensions and second the necessity of relief work. As regards suspensions or remissions these are governed by rules which allow no discretion to the local officers or to any one else except in making the annewari valuation ; when the anna valuation is settled then results as regards suspensions and remissions follow mathematically. As regards the accuracy or otherwise of the annewari valuation itself, I may inform the House that I have been touring in the areas referred to by the honourable member from Dharwar, just before I arrived here to attend the Council, having visited Navalgund, in Dharwar District, Bijapur and parts of Belgaum, and in these places gone on the spot into the manner in which annewari valuation is being made. Honourable members are aware that a couple of years ago a committee called the annewari committee was appointed by Government ; it held several sittings and submitted a report to Government making certain recommendations as to how annewaris should be made. Government have not yet passed orders on those recommendations ; meanwhile it is left to the discretion of the Collectors to adopt the old method of annewari valuation or to follow the more modern idea of homogeneous tracts, which is rather too complicated to explain now, or to rely on the system of associating villagers with the revenue officers in estimating the outturn. All three methods are side by side in progress in these three districts of the Karnataka. At Navalgund I went carefully into the proposals of the panchas, because in that part the panch system operates. The annewari had not yet been declared as the first Land Revenue instalment is due on the 15th of March, but I examined the anna valuation sent to the Collector by the mamlatdars side by side with the recommendations of the panchas, and I was surprised and gratified to find that the estimation of the officers of Government and that of the panchas diverged in very few cases. The same was the case in the Belgaum district as the Honourable the Revenue Member has already stated. In Bijapur I went into the same matter ; the system there is not the panch system, but I satisfied myself that the valuations which were to go up to the Collector were such that no

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impartial person was likely to challenge them. I visited a taluka town in Bijapur and when I came out of the kutcheri the people of the village discussed matters with me. What they wanted was exactly what is being urged by the district congress committee : they wanted remissions of Land Revenue and relief works. Well I looked into the file of *anneawari* recommendations then and there and found that for this village the recommendation was that as crops were a total failure full suspension should be given ; nothing more could be done since under the rules not remission but only whole suspension can be given. When I asked them what they meant by relief works they explained that they wanted the village tank to be deepened. I asked them whether they would come and work on this work at 4 annas a day. " Oh no, we want 6 annas at least, or 8 annas " was their reply. That is the difficulty ; people talk about declaring famine and opening relief works, but they do not realise that people will not come and work on Famine Code work wages. In old days, when we had real famine, in 1899-1900 in Gujarat and all over the Deccan, famine relief work wages were 2 annas, and people flocked to work on those wages. I do not think that even allowing for the higher prices of food grains, the wage would exceed 4 annas now and people are quite definite that they would not come on to a work for such a wage.

There is no doubt that a certain amount of provision ought to be made for any unusual demand for labour, on ordinary, not relief work wages, in the districts of Belgaum, Bijapur and Dharwar ; this was done three years ago to meet a similar situation, and I have recommended an expansion of the Public Works programme for communications to such an extent as will provide labour for people who want it. These proposals are before Government, and I think that probably early in April works will be started which will provide for such labour as may offer.

I would like to say a few words on the subject of irrigation works in the Karnatak ; the honourable member from Dharwar has alluded to it, and I know it is a subject on which local feelings are keen. I had a long conversation with most of the honourable members from the Karnatak country three or four days ago, and I think I may say that we found ourselves in complete agreement with them on this subject. The honourable member sitting to my left (Secretary to Government, Public Works Department) has, I fear, had his life made a burden to him by my frequent recent requests to get me exact information from the Secretariat on the subject of irrigation schemes in Dharwar, Belgaum and Bijapur, investigated in the past and the reasons for which those schemes were rejected. I find, Sir, that there are no less than half a dozen schemes which have been investigated at different times, but unfortunately owing to various reasons most of them were not found practicable, but I do not see any reason why we should abandon hope ; even if the big projects fall through, the selection of sites for small irrigation projects is a matter which has long been pressed for in that part of the country. The House is aware that Mr. Lowsley is now on special duty in connection with minor irrigation works, and I am informed

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that he is actually investigating possible sites for small irrigation works on the Gataprabha and the Malaprabha rivers. Another investigation has just been completed by the Superintending Engineer into the possibility of a large irrigation project on the Malaprabha, and I hope soon to talk the matter over with these officers.

I do want the House to realise that there is no hostility on the part of Government to undertaking irrigation where possible. There is no truth in the insinuation that the money spent on the Back Bay Reclamation or on the Sukkur Barrage has been filched from irrigation in the Karnatak. If any scheme can be shown to be feasible a survey will be made, and I myself have already furnished a very unqualified guarantee to all members from the Karnatak that I will agitate with them in getting for this matter the attention it deserves. I would like to conclude by congratulating the honourable member for Dharwar on the exceedingly moderate tone of his speech. I do wish that the same moderate tone were to be met with in all speeches and writings on this subject. I was talking only the other day at Bijapur to a gentleman connected with the agitation which has been conducted there by the District Congress Committee, and I pointed out to him that if exaggeration were eliminated there would be very little difference between the views of the members of the Congress Committee and those of Government; I also said to him that the attacks on the Collector of Bijapur which had been made in the Press were extremely unjust; and I may say that he thoroughly agreed with me. If only persons or bodies who interest themselves in such matters avoided exaggeration much more serious attention would be paid to their representations.

Rao Saheb D. R. PATIL (East Khandesh District): Sir, all the honourable members of this honourable House know that only 12 days have been allotted for the discussion of this budget. We are all after effecting retrenchment and therefore our attention should be concentrated upon really securing cuts. If the tongue diarrhæa goes on, I think we shall not be able to finish with the cuts....

Mr. NOOR MAHOMED: Sir, is the term "tongue diarrhæa" parliamentary?

The Honourable the PRESIDENT: All these terms are very unhappy certainly.

Mr. NOOR MAHOMED: Are they indecent?

The Honourable the PRESIDENT: No. They are stinking.

Rao Saheb D. R. PATIL: No doubt that term is very unhappy, but I have to use it, because I see that the real state of things is like that. Sir, let us really try our best to find out what cuts we can really secure and bring those cuts to the notice of the Government and try to satisfy them "Well here is a real cut for you to accept." I am sure that Government will be glad to accept such cuts as are reasonable. I have heard some speeches which have practically covered the same grounds as that on the general discussion of the budget.

Mr. V. N. JOG : Sir, is the hon'ble member in order ? Instead of speaking on the cuts, he is giving a lecture of how the policy on the cuts is adopted by the House.

The Honourable the PRESIDENT : Order, order. Let the honourable member go on.

Rao Saheb D. R. PATIL : Sir, I am really sorry that some of the members want to interrupt. Let them interrupt, if they are legally interrupting, but for God's sake let them not do so, if it is only for interruption sake. My point is that let us use our energies for really voting for those items which will be really helpful to us in the matter of securing cuts. My experience during the last three years is that so many motions for omissions and reductions have been submitted by various members of this House, but very few items are touched.....

The Honourable the PRESIDENT : Order, order. Will the honourable member come to the point ? What the honourable member wanted to say is said in a few sentences which he has uttered. Has he anything to say on the subject before the House under discussion ?

Rao Saheb D. R. PATIL : Yes. My submission is that let us make the best use of the time that is at our disposal. So far as this cut is concerned, one can easily say that it is no use supporting that motion for omission, because it refers to the necessary expenditure on land revenue. You are aware, Mr. President, that a Land Assessment Committee was appointed by Government where certain witnesses have been examined and their evidence has been recorded. There were also some minutes of dissent by some members of that committee. The work of that Committee is almost over. Therefore, I would tell Government that they should lose no time in bringing forward such amendments as they think fit in respect of amending section 107 of the Land Revenue Code. Let the Government themselves do this. I do not want to deal with the system of land revenue in detail, but I can say that the system of land revenue should be based on this principle that land assessment should be in some proportion of the net income which the agriculturists receive from agriculture. There may be certain difficulties to know the net income, and those difficulties were put forward by certain witnesses before that committee. Be that as it may. The sooner the amendment of section 107 above referred to is made the better. With these remarks I resume my seat.

Mr. S. A. SARDESAI (Bijapur District) : Sir I avail myself of this opportunity of describing the famine conditions of Bijapur. I have seen many articles on famine from men like Thomas Alva Edison of America and others (who say) that as the world goes on advancing and when it is fully civilised the famines totally disappear. There is a good deal of difference between famine and scarcity. Famine is said to exist when there is actual starvation to death of human beings in a particular area or a country, but scarcity is said to exist when people are not dying for want of food-stuff, but at the same time prices of food-stuff are very high. In civilised countries famines are permanently abolished, but although India in bygone times once stood on the pinnacle of perfection in all

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matters of civilisation, now it is in a most down fall condition and has not reached that stage of civilisation when famines do not occur.

An Honourable MEMBER : Will you speak loudly please ?

The Honourable the PRESIDENT : Will you kindly speak a little louder so that the other part of the House may be able to hear you.

Mr. S. A. SARDESAI : As far as the Bijapur district is concerned it is admitted even by Government officials that there is always a scarcity of rainfall and the famine conditions prevail there every year. Now, as regards the present famine conditions in that part, I can speak from my personal experience and observation that some of the talukas in Bijapur district are somewhat good, for instance, Indi and Badami, but the other talukas with the exception of a few villages, are in a very bad conditions. I think, Sir, that a large proportion of population in Bijapur district is now in the grip of famine. As for the storage of kadabi, as stated by the honourable member the Commissioner, Southern Division, it is true that the Government had stored many pounds of kadabi last year and this year also they have been buying kadabi, but according to my opinion this is not the time for Government to buy kadabi but to sell it. Instead of selling I find they are buying kadabi, in these days of scarcity. That is one point. The other point is this some days back I presided over a public meeting where it was resolved that a deputation should wait upon the Collector and also the Commissioner to represent the famine conditions, and the Chairman of that deputation was Rao Bahadur Kembhavi.

MOULVI RAFIUDDIN AHMAD : I thought you were the president.

Mr. S. A. SARDESAI : No, I was the president of the meeting and he was the chairman of the deputation.

The chairman of the deputation and several members waited in deputation upon the Collector to express the famine conditions. And what we proposed in that meeting was to grant liberal suspensions and remissions and open relief works. These were the two points. We had a talk with the Collector for nearly three-fourths of an hour or an hour. I think on account of his official position he could not commit himself to anything in that meeting. I do not think he was unreasonable, because every officer under Government is something like a mandate obeying machine. Even the Governors and Governor Generals, if we minutely consider their position, receive every thing in black and white. They receive mandates from the Secretary of State and the superior officers. That being the case, the Collector was reasonable in withholding his decision, because annawari itself was not settled at that time. As a Collector, he has been trying to mitigate the scarcity conditions and has not been able to do anything uptil now, although he has in his mind the idea of opening some relief works. For instance, he wanted to have a causeway near Tangadagi on Hungund-Muddebihal road. I think it is impossible, because to get a causeway sanctioned, takes a long time, and he has requested Government to investigate the

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possibilities of irrigation on Malaprabha river. As the honourable member the Commissioner, Southern Division, told you, that will also take a very long time, because, Sir, these big irrigation schemes are to be sanctioned by the Secretary of State and detailed survey has to be made, and so these large projects will not be useful for mitigating the present famine conditions immediately. Even the Commissioner also is a very sincere man and has the courage of conviction, and if he is once convinced that such and such a state of affairs exists and such and such a thing ought to be done, he is bold enough and will never fear even His Excellency the Governor and will carry out what he thinks right. For this reason the Bijapur district has great reverence for the Commissioner. But, Sir, owing to his official position he has not been able to do much for mitigating the famine conditions. The famine conditions are very severe. Some people, although for want of food may not die within one or two days owing to half starved conditions, still I think several deaths must be occurring in my district owing to long starved conditions. So a poor man who has starved for six months or eight months is likely to die being attacked by some disease. This is the condition there.

As regards migration, I put to the Honourable the Leader of the House a question when he was Revenue Member. He said migration was not a bad thing. I understand perfectly well, that migration by people for earning better wages may be a good thing. But migration of a permanent nature in case the people cannot go back to their district owing to their bad conditions, that sort of migration from the people's point of view is a bad thing. In this way, if there are permanent migrations, the district will soon lose the wealth of the agricultural population. In this way it is bad. Again, Sir, talking about Deccan if Government neglect and do not see their way to improve the conditions of agriculture I think one day they will be embarrassed by not getting even their revenue properly. Is it a wise policy Sir, to destroy the agricultural conditions of one place and again go to the Sukkur Barrage, and having taken big schemes, devote public money for such things and increase the indebtedness of Government? I think, Sir, proper attention may now be paid to Deccan. As regards irrigation. Sir, irrigation is the only remedy for famine stricken districts like Bijapur. There are nearly five rivers flowing in the district. But Krishna, I am told, is not fit for irrigation. It can only be irrigated by engine power, and if it is irrigated by engine power, of course, the ryots will have to pay per acre Rs. 55 and Rs. 60, and such high rates cannot be paid by the poor agriculturists. We want only such irrigation schemes which will not require engine power. As to the Ghataprabha project. Sir, I am sorry to say that it has been abandoned by Government, and in the last council we had a press note abandoning this scheme, I think, Sir, the abandonment of this scheme is not a wise policy.

The Honourable Mr. COWASJI JEHangIR : What was it going to cost ?

An Honourable MEMBER : Six crores.

Mr. S. A. SARDESAI : The original estimate was only 4 crores.

The Honourable Mr. COWASJI JEHANGIR : What was the return ?

Mr. S. A. SARDESAI : I have not gone into the figures very carefully, but I think it would pay 4 per cent. at least if not more. As regards the Ghataprabha project, Sir, I have told this council in detail in the last council how the Government have managed this affair. For the use of water by the Gokak Mills Company, Limited, they have made a permanent lease for only Rs. 10,000. If the same water is given to the agriculturists in the vicinity of the Gokak Mill, that will fetch nearly 2 or 3 lakhs, and if that irrigation is carried out in Bilgi petha, that will bring a revenue of not less than 30 to 40 lakhs. This Gokak Mills Company has been complaining all the year round for scarcity of water and this water is used by that company for twelve months. If the same water is given to agriculturists only for two or three months in the year in the vicinity of Gokak, then also Government will get Rs. 2 or Rs. 3 lakhs, and by extending the canal to Bilgi petha they will get Rs. 30 to Rs. 40 lakhs. As stated by the honourable member for Dharwar, Government perhaps may have been discouraged on account of the failure of the reclamation scheme in Bombay and else where and by the undertaking of the Sukkur Barrage. In Sukkur Barrage also I think Government have been paying the interest out of Famine Insurance Fund, and that also is not a wise policy, and they ought to make separate arrangements for paying the interest for the Sukkur Barrage Scheme. And Sir, I have stated also in the last council that growing grass and reserving forest area is essentially necessary and that is the problem not only of Bijapur district, but of every district in the presidency, and Government should see their way to reserve certain area for preservation of forest trees and also for growing grass. I have discussed this matter with Mr. Gordon, the late Collector of Bijapur, and he also fully agreed with me that this is the problem of not only Bijapur district but of the whole of the Bombay presidency. Government commenced to take the statistics of rainfall in Bijapur district about the year 1870. Then the rainfall was 37" when there were big forests, but now forest trees have been chopped off and what is the present rainfall ? It is nearly 13". Properly speaking, Government should open famine relief works there and also order Mr. Lowsley the special officer, to carry out some water works schemes, if not big schemes, at least small schemes like repairing old tanks and such other things. That will give drinking water to villagers. Mr. Lowsley, I think, is a very amiable officer. When he was in the council, he assured me that he would carry out all urgent works as proposed by me and even when he was in Bijapur district, he acted according to my wishes. I brought to his notice certain urgent works and he tried his utmost to carry them out. I think he is a very good officer. The only thing is that Government should ask him to prepare some water schemes. Mr. Lowsley told me that scarcity of drinking water will be removed within 25 or 30 years in the Bijapur district. If some schemes are executed every year I admit every thing should be gradually done.

MOULVI RAFIUDDIN AHMAD : What about Major Phogson, the water diviner ?

Mr. S. A. SARDESAI : I accompanied Major Phogson when he went out to forecast some wells. Of course his forecasts were not all correct but proved correct in 50 to 60 per cent. I do not think that that system is utterly so valueless as is supposed by some of the members here, because that is also a scientific experiment. Major Phogson personally explained to me how his operations were scientific. And I am convinced that his efforts are most useful in forecasting water because you, Sir, and many of the honourable members here, know that there is an instrument which is called the Automatic Water Finder, manufactured by Messrs. Mansfield and Co., Manchester. The needle is so very sensitive that it indicates at what depth water could be tapped.

The Honourable the PRESIDENT : Will the honourable member confine himself to the subject before the House ?

Mr. S. A. SARDESAI : I hope that in order to mitigate famine conditions liberal remissions and suspensions would be made by Government. Takavi loans should also be increased and in order to remove water scarcity, Government should instruct Mr. Lowsley to carry out some water schemes, open some relief works, productive or unproductive. I need not remind the House that on the last occasion I pointed out several irrigation schemes, four or five in number, and I do not wish to devote my attention to that subject just now, as I am now confined only to the famine conditions. I hope Government will do something for the famine stricken people of Bijapur. With these observations I resume my seat.

Mr. B. V. JADHAV (Satara District) : Sir, I take this opportunity of ventilating the grievances of the district of Satara which I have the honour to represent in this Council. The district of Satara, Sir, especially the eastern portion of it, is within the famine zone and the eastern talukas are more or less affected with scarcity almost every year especially the talukas of Man, Khatav and Tasgaon are liable to suffer. This year the early rainfall was good indeed and people had high hopes of getting bumper crops ; but the later rains held off and the outturn of the crop is very very poor and some of the villages estimate their crop at about two annas. Their complaint is that the revenue authorities have been very zealous in the collection of the revenue and they have estimated the crops at about eight annas. In the taluka of Tasgaon, Sir, there was suspension of revenue for the last two years as the crops were not very good. This year the conditions are not better, but if suspensions are allowed again, then automatically the suspensions of the previous years will have to be remitted and Government was in danger of losing a large portion of their revenue. The revenue authorities were therefore very anxious that the suspended revenue should be recovered, and it is the complaint of the people that the annawari has been placed a little high up, so that Government should be justified in recovering the suspensions. I for myself have not had an opportunity of visiting those places and I cannot say anything from my own knowledge. But I have got letters and representations from the villagers of the taluka who have held public meetings and passed resolutions and sent copies of the resolutions to all parties concerned, the officers included.

[Mr. B. V. Jadhav]

The condition of Satara is not a prosperous one. The people of that district are very industrious and hard-working, but they do not get sufficient food from their lands, especially in the eastern portion, and thousands and thousands of the people have to go to Bombay to supplement their income from their fields. The labour market of Bombay is drawn to a great extent from the inhabitants of the Satara district and on many occasions it is found that what they save in Bombay has to be paid in as land revenue in the district of Satara. The people are very frugal, and are not addicted to drink. It will be found that the Satara district is one of the districts where the consumption of liquor is very low. That even such a hard-working and frugal community is not doing very well, shows that the agricultural income is very low.

I do not know the reason why there is a shortage of rain. I am not an expert in forestry and I shall not venture any suggestion as to the reason why rains are insufficient. But the result is there that the rains are holding off and that the condition of the people is precarious. Government is doing their best to encourage minor irrigation works, and I do not think that I should take the time of this House in making suggestions on that point. Government are quite awake to the need and I think before long something will be done. But my complaint is that in the matter of suspensions and remissions Government officers should be rather more lenient to the people of Satara who are very poor and who are forced, as I said just now, every year to go out in very large numbers to work in Bombay and thus earn wages to help their families in the district. It is a well known fact, Sir, that in the last war the people of Satara recruited in very large numbers, and they have thus shown their loyalty. It is from this point of view, namely that the district of Satara is an excellent recruiting ground, it is desirable that the people of that district should be kept in a condition of contentment so that they may be available for military service when another war breaks out. From this point of view, too, it is desirable that Government should be more favourable to my district, as the people are warlike, and they can be called upon to join the standard at any time.

With these few remarks, I shall conclude by saying that it is quite necessary that the revenue policy of the Government of Bombay should be more liberal in matters of suspension and remission. The land revenue is pressing hard upon the poor ryots. It is no secret that extensive pieces of land are passing out of the hands of the peasant proprietors into the hands of the moneyed classes. These moneyed classes exact rack rent, and this system is exploited by the revenue authorities. They in their turn say that if a tenant can pay a high rental to the *sowcar* or to the owner of the land, it is easy for him or his neighbour to pay a high assessment to the Government also. I need not go into this question at any great length, but all I can say is that Government will have to reconsider their revenue policy, especially in the case of famine tracts, and to revise it to help the poor agriculturists to get a living from the land.

Mr. F. G. H. ANDERSON : Mr. President, reluctant as I am to add to those torrents of verbosity which the honourable member Rao Saheb Patil has just stigmatised by such an unpleasant term, there are a few remarks that have fallen from the other side of the House which I cannot pass over. I derived great comfort from the speech of the honourable member Mr. Sardesai, in which he assured me, after the days that I have sat here listening to accusations of wastefulness and the spendthrift policy of the Government, that they had rejected the Ghataprabha scheme once and for all, and he gave that as an example of the way in which Government administered our finances. I was very thankful indeed to hear that the Government are careful not to embark upon schemes of irrigation which are likely to result in a nett loss to the presidency of $3\frac{1}{2}$ per cent. per annum. It has also been proved that the scheme is likely to destroy nearly as large an area of good land as it would benefit. If this is a sample of Government financial policy, it gives me much comfort. But it is chiefly with the remarks of the honourable member from Ratnagiri that I have to deal. He gave us a long tirade, chiefly relating to the land settlements in Ratnagiri, and he made several accusations which, I am sure, must be causing a great amount of sorrow in the hearts of some honourable members, and must be keeping them awake many nights. I would hasten to relieve him of some of those misapprehensions.

It was rather difficult to follow what the honourable member stated, on account of the defective acoustic properties of this hall, but I take it that he accused us, in many instances, of resorting in these revision settlements of a reclassification of land. Now, Mr. President, that is a thing which is never done. Not only can it not be done in theory, but as a matter of practice we do not reclassify land, except for one single purpose ; and that is, if there is reason to think that the land in a particular neighbourhood has deteriorated on account of the fall of the sub-soil water level, which has happened a great deal in Gujarat, or if by deterioration or any such natural deterioration the capacity of the soil has been reduced, we then reclassify the land in order to give the benefit of a reduction to the land-owner, but we *never* reclassify land which has been improved. Those honourable members who hail from Kaira must know that the reclassification of large areas in Kaira and other parts of Gujarat has resulted in the reduction of several lakhs in the land revenue of the Gujarat province, on account of the well known drop in the sub-soil water level in Gujarat. That is a reclassification against which there can be nothing to say.

Then again, it was suggested that, in some cases, villages have been reassessed within the period of guarantee. Now, that is a point which it is impossible to argue. The only reply that we can give to it is an absolute negative. It is never done. I do not think there is a single instance which any honourable member can give of a village which has been resettled before the period of guarantee has expired. I think the misapprehension comes about in this way. Thirty years is the usual period of guarantee, and the honourable member has assumed that if a village was settled for a little less period than 30 years, say for 27 years, then that was a breach of the 30 years' guarantee. But, Sir, that is not so.

[Mr. F. G. H. Anderson]

What is not infrequently done is this. A taluka is settled for 30 years. Three years later, an inam village in the taluka lapses; it becomes *khalsu* and has to be settled. Naturally, in that case, Government do exactly what the honourable member himself would have done. He would say, let us settle this village for the period upto which the existing settlement applies to the neighbouring villages, so that at the time of the revision settlement all the villages can be taken up together. Such a village would be settled for 27 years. Of course, we all know that in the case of Sind, till recently, it has been the practice to settle land for shorter periods. But the statement that villages have been resettled before the guaranteed period can only be met with an emphatic negative.

Then, another point was raised. It was stated that bagayat assessment was continued on lands which had ceased to be used for bagayat purposes, and it was also stated that lands which were fallow were still made to pay assessment. Now, both these propositions are true, and they are absolutely necessary as matters of revenue policy in all parts of the world. We have heard a great deal lately in the press about Mr. Lloyd George's "Liberal Land Policy". Now, what is one of the outstanding features of the policy of Mr. Lloyd George in his efforts to resuscitate the Liberal Party and to restore it to the popularity which it had twenty years ago? What is one of the main points on which he hopes to win back popular support to carry him back to power? It is that all land in the United Kingdom shall be made to pay a land tax, not according to the way in which it is used by landlords, for the preservation of game and all sorts of unproductive purposes, but that it shall be taxed according to its *capacity* for yielding profits when used in the best possible way; and no country can possibly afford to allow landlords a remission or reduction of taxation for every piece of land which they choose to disuse or misuse. Therefore, if bagayat land, for any reason, is allowed to lapse into a lower state of cultivation, it nevertheless must pay the bagayat assessment. The holder of the land cannot put forward the plea that he cannot afford to pay for the necessary amount of labour, or that he cannot afford to spare the money required for lifting the water, and so on. In that case, his remedy is clear and simple: he can always sell it to another or resign it to Government. No one need pay assessment for land which he does not use; what he cannot do is to keep the land for his own, unused, and then claim a remission of assessment.

I believe, although history is very obscure, and no one really knows what was actually done by such revenue administrators as Todar Mal and Malik Amber, yet it is stated in history and it is highly probable, that one of the greatest reforms of Malik Amber in the Deccan was that he insisted that all land should pay its assessment every year, whether it was cropped or not; and the result of that was that millions of acres of land, which had not been under cultivation, were gradually brought under cultivation in his time. I am not going to diverge and discuss the fallow rules of Sind, but in the presidency proper we cannot possibly think of a policy of remitting the assessment for land which the owner chooses to keep unused.

MOULVI RAFIUDDIN AHMAD : May I ask the honourable member whether one can resign his land ?

Mr. F. G. H. ANDERSON : Any one can resign his land at any time ; that is the one sided effect of our settlements under the Land Revenue Code, but Government cannot resume any land except for failure of payment of assessment.

Just one point more. I have been listening frequently to accounts of the miserable condition of inhabitants referred to by honourable members, sometimes in Tasgaon taluka and sometimes in Ratnagiri. On this point I wish to draw the attention of honourable members to the essential distinction that exists between landlords and tenants, whether they are tenants in the Bhal or tenants in Tasgaon or tenants or the holders of talukdari land. To whom do they refer, when they talk of the misery and poverty of the people ? I find that in this presidency they are mostly tenants not owning lands at all. Suppose we give them remission, how will it save them from paying the same rent as they did before to their landlords ? It will make no difference even if we abandon the whole of the land revenue. That is not the problem. When we deal with the difference between tenants paying rents and tenants owning land, we find that most of the tenants do not own lands. Even in Satara more than half of the land is cultivated by tenants. In the Ratangiri district much more than half of the land is cultivated by tenants. The honourable member for Ratnagiri said that the people of his district were in a miserable condition. I say 'yes'. It is not landlords that are in that condition. I will tell you a simple instance. A certain landlord of a whole village refused to let the land to the tenantry of that village. Their plight was certainly miserable and they had all in a body to migrate to Bombay or some other place to seek employment. How would the remission of land revenue benefit tenants in this case. If we allow remission in such cases it will be putting a premium on such action of the landlord. Do honourable members wish that ? I would urge that when we are considering the land revenue administration we must bear in mind this fundamental difference between those tenants owning land and those paying rent.

Mr. R. S. ASVALE (Bombay City, North) : Sir, I have nothing to say about the omission or inclusion of this grant ; but I want to bring to the notice of this House the difficulty that is felt in Bombay city owing to famine conditions in the presidency. While famine conditions prevail all over the presidency, the Bombay city is flooded with famine stricken labourers who oust out permanent labourers of the city and throw them out of employment. Those labourers coming out to Bombay city can afford to accept smaller salaries and thereby permanent labourers are obliged to get still lower wages and undergo hardship. Therefore Government should see that some work is provided for the famine stricken people in their own districts so that they may not get into Bombay city. Owing to famine in the districts unemployment is increasing in the city. I have asked a question regarding unemployment in Bombay city and I expect it to come before the Council. We have seen that though there was no famine last year, there were many beggars lying on footpaths

[Mr. R. S. Asavale]

without food. Unless something is done for the famine stricken people the Bombay city will have to suffer ; permanent labourers residing in the city will suffer the most. So, it is not only the districts that suffer from famine, but the city of Bombay also which is in a flourishing condition owing to its trade. My honourable friends from districts have stated that their districts are suffering this year from famine ; and something should be done as they have asked for. It is the essential duty of the Government to give them some relief as soon as possible.

An Honourable MEMBER : Sir, I move a closure.

The Honourable the PRESIDENT : I accept the closure.

The Honourable Mr. J. L. RIEU : I assume, Sir, that this motion for the omission of the whole of the land revenue grant is not being moved seriously but that it has simply been moved by my honourable friend opposite in order to afford him an opportunity to ventilate his opinions on the question of famine in the presidency. I am glad that this opportunity has been afforded, for I am sure that the statements which have been made by the various officers of Government must have removed a great part of the misapprehension entertained on the subject by honourable members.

Attention has been chiefly concentrated on the Dhandhuka taluka of the Ahmedabad district and on the Bijapur district. Regarding the first of these areas you have had a very full statement from my honourable friend the Commissioner of the Northern Division.

I think that it must be accepted that famine, as known in the technical sense of the term, is not at present in existence in any of the districts of Gujarat, though owing to the failure of crops there is a certain amount of local scarcity. We have made provision, as I explained a few days ago, to meet any demands for employment that may exist. In response to the representation of the honourable member opposite (Mr. A. D. Sheth) Government have agreed to increasing this provision. They willingly agreed to do so, but I am now informed that at present the honourable member is not prepared to carry out the works for which provision has been made. If that is the case, it surely shows that we have been grossly misinformed as to the want of employment that is alleged to exist. I should be glad to have an explanation from the honourable member.

Mr. A. D. SHETH : That is only because the harvesting of *rabi* crops is going to take place 10 or 12 days after, which will provide sufficient work for 25 days for the unemployed. A part of the ten or twelve days that will intervene between then and now may be spent in circulating information and other preliminaries. Therefore, after the *rabi* harvesting is over the relief work would again be necessary.

The Honourable Mr. J. L. RIEU : I am very glad to receive this explanation from my honourable friend. But, as it is, it disproves entirely the allegations made of any present scarcity or want of employment in the Dhandhuka taluka. When the occasion does arise, we are prepared to make adequate provision to meet the case.

[Mr. J. L. Rieu]

Then attention has been concentrated on the Bijapur district, and you heard a very full statement from the Commissioner of the Southern Division. There is very little that I can add to what has been said by him. I hope that honourable members will be convinced by his statement that the allegation that severe famine, or famine in any sense, exists in Bijapur, is completely without foundation. We have there in Bijapur as Collector Mr. Naik, who I am sure has the utmost sympathy with the people in his charge, and here I must take the opportunity of expressing my extreme regret, and indignation also, at the completely unjustified allegations which have been made in the Press regarding this officer. Knowing him as I do, having recently paid a visit to Bijapur myself and having discussed with him the problems of the district, I am confident that he is an officer in whom the people will find a most sympathetic friend, and that he would be the last person to be deterred by any alleged fear of official disfavour from doing what he feels to be his duty by the people. I may mention, a point which has not been referred to by my honourable friend Mr. Painter, that we have made special provision this year in the Bijapur district for *tagar*; not only has the ordinary provision of a lakh of rupees been made, but on the representation of the Collector, which was made very shortly before my visit to Bijapur, a special grant of Rs. 1,15,000 was made for that district with a view to assisting in the provisions of irrigation facilities, more especially by the construction of *thals* and such minor irrigation works. In addition to this, a further amount of Rs. 40,000 has quite recently been sanctioned for the same object. Thus, in all Rs. 2,55,000, or more than 2½ lakhs will be advanced to the people of Bijapur this year in order to enable them to improve their irrigational facilities. I think that the House will recognise that Government have treated the Bijapur district with special consideration in this respect.

Mr. S. A. SARDESAI : What about opening of relief works ?

The Honourable Mr. J. L. RIEU : I will come to that later.

I fully realise and sympathise with the desire of the people of Bijapur and the neighbouring tracts of the east Karnatak in their desire for the construction of large irrigation works ; but it must be realised on the other hand that owing to the natural configuration of the country and its physical aspects, it is an extremely difficult problem to carry out any large irrigation projects in that part of the presidency. I do not know whether any honourable members are acquainted with that tract, but one feature of it is that generally speaking the several rivers which traverse the Bijapur district run in deep ravines with high lands intervening, presently an extremely difficult problem for any irrigation Engineer. However, I may say that although Government have had to turn down recently an important project which had been very carefully examined by them—I mean the Ghatprabha project—yet they are anxious that everything should be done that can be done in the way of small irrigation works, less ambitious schemes. When I was in Bijapur I was informed by the Collector that he had made proposals to the Public Works Department

[Mr. J. L. Rieu]

for two or three such smaller schemes; I promised to do what I could to further them. I understand that there has been some difficulty regarding the sanction of the funds required, but I give this House the assurance that I shall do my best to provide the money required; if necessary it might come out of the Famine Insurance Fund. I hope that will to some extent meet the wishes of the honourable member for the Bijapur district.

As regards the opening of relief works, you have heard from the Commissioner of the Southern Division that there is at present no unemployment in the district of Bijapur in any sense of the word. I can assure honourable members that we are watching the situation most anxiously and that the moment it is necessary to provide famine relief works, we shall be prepared to do so. But I do not think that the necessity will arise. The Commissioner has submitted a programme of ordinary works under the Public Works Department; his report has only recently been received, and therefore no orders have yet been passed on it; but I undertake that we shall expedite the orders and that the programme of works will be undertaken where necessary.

Now, a reference has been made to the Annewari Committee and its recommendations. These were recently put before me for consideration and I should like to inform this House that I am prepared to accept the main recommendations of the request. The principal one of them is that non-officials should be associated with the local subordinate officers in making the annewari valuation. The delay which has occurred in passing orders on the subject is due to the fact that a recommendation has been made to Government that we should alter our system of notation for valuation—that the present system of notation by annas should be changed and that instead of it there should be a percentage system of notation. That is, I understand, the system in force in the Punjab, and it has been successfully worked there. The justification for the change is that there has been a difference of opinion, or rather a misunderstanding, as to exactly what our present notation represents. I think, it is largely due to this misapprehension that there is much dispute about the annewari valuation. We are at present awaiting the report regarding the working of this percentage system and when we receive it, orders on the whole question will issue.

Mr. R. G. PRADHAN: What is the report of the Land Revenue Assessment Committee?

The Honourable Mr. J. L. RIEU: The report of the Land Revenue Assessment Committee is being considered by Government and I am not prepared at present to make a statement regarding it, as the questions which it raises are questions of great complexity and importance

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Mr. R. G. PRADHAN: I may tell the honourable member that the copies of that report have been printed and we have not received a copy.

The Honourable Mr. J. L. RIEU : If there is a general desire on the part of the House that copies should be communicated to honourable members, I am prepared to do so. This is the first time I have come to know

Mr. R. G. PRADHAN : Even the members of the committee have not received copies.

The Honourable Mr. J. L. RIEU : I am not aware how the matter stands with regard to the members of the committee. It is not usual to publish such reports until Government have considered them and arrived at their decision regarding the recommendations made. But I am prepared to send the copies to honourable members, if there is a general desire to that effect on the part of the House.

One point more I want to deal with and that is as regards the representations made by the honourable member for Ratnagiri. I should like to inform the House that I have agreed to give an interview to a deputation of the landholders of that district in order to discuss the several points which the honourable member brought up just now. I shall be meeting that deputation very soon and shall listen to everything that they have to say on the subject.

The Honourable the PRESIDENT : The question before the House is :

" Omit total demand Rs. 51,86,000. "

Mr. A. D. SHETH : Sir, in view of the explanation given I withdraw my motion.

Question put and leave granted.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Sir, I move :

" Reduce by Rs. 11,936—Contract Contingencies Rs. 2,11,936. "

In doing so, I want to know if Government are serious in taking steps in the direction of retrenchment. They have expressed a desire to make retrenchment and if that is so, I think it will be possible for them to make retrenchment in the amount of contingencies. I say this because I know that the prices of material of contingencies have fallen. I have proposed only a five per cent. reduction. I therefore ask this House to support this cut.

Mr. J. W. SMYTH : Sir, perhaps it will not be out of place if I give a little explanation for the benefit of this House. I may tell the House that the contracts are made for a period of five years and the present quinquennium began in the year 1925-26. Although the figures are fixed, there is nothing whatever to prevent Government from reducing the amount for any year, if found necessary, or for any other reasons, or if there is no necessity for the amount to be spent by any individual Collector. But I would place before this House the figures of the previous years. They are as follows :

For 1925-26—Rs. 2,14,780.

For the budget of the current year, namely :

For 1926-27—Rs. 2,18,870

whilst for the next year, the various district estimates sent by the collectors amount to Rs. 2,23,136.

[Mr. J. W. Smyth]

It was, however, decided by the Revenue Department when we were considering the budget to cut this grant down by 5 per cent. That is to say, that instead of accepting the estimates of the district officers amounting to Rs. 2,23,000, we cut them down to Rs. 2,11,936. I submit, therefore, Sir, that Government are entirely alive to the necessity of economy in this direction and are doing their best to practise it in this particular item.

Rao Sahab D. P. DESAI (Kaira District) : Sir, all these items were increased when the prices were very high, and now when the prices are actually falling, they must be appreciably decreased, not by Rs. 1,000 or Rs. 2,000. We all remember that these contingencies were increased by thousands of rupees.....

The Honourable Mr. J. L. RIEU : May I ask the honourable member by how many thousands they were increased ?

Rao Sahab D. P. DESAI : Of course, I am talking of all the contingencies in all the departments, and even here, though the budget is not with me, for 1921-22, honourable members who were then in the Council would know that the contingencies were appreciably increased. They were not increased by a thousand or two thousand. In this very matter they must have been increased by Rs. 20,000 or so. So, I think that some arrangement must be made by Government to bring their contingencies down by a substantial amount.

Mr. R. S. ASAVLE : May I ask what were the contingencies allowed before the war ?

Mr. J. W. SMYTH : I am quite unable to answer that question off-hand.

Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Sir, this grant, when we compare it with that of the previous two years, appears to be practically stationary or bearing the same amount. This leads us to believe on the one hand that either there is no fall in the price of materials or that the consumption has increased, because the figure remains at the same level. So, it leads one to conclude that there is no retrenchment or economy on this side of the question and it has increased proportionately when the actual cost of the materials has been reduced. Thus in view of this economical factor, I understand that a small cut of Rs. 11,936—which is only about a 5 per cent. cut—has been made definitely and it does not affect the original amount which stood as printed in 1925-26, two years back. Therefore, this shows that expenditure in every department as compared with the previous two years has either not decreased in spite of the fact that prices have gone down by about 25 per cent. or that they have increased their consumption. Sir, this is a clear case for accepting the cut suggested, and, therefore, I again appeal to the honourable member on the other side to accept this small cut and to show their *bona fides* that even Government are prepared to retrench in a small matter without putting up a strong fight against it in spite of the prices of materials going as low as about 25 per cent.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Sir, Government themselves admit they have made a 5 per cent. cut ; I merely ask them to make a cut of 10 per cent. That is, only 5 per cent. additional cut.

The Honourable Mr. J. L. RIEU : Sir, I regret I am unable to accept the suggestion of the honourable mover to make a further cut. It may interest the House to know what the objects are on which this expenditure is incurred. That will enable them to form an opinion as to what extent it would be possible to reduce the expenditure on the ground of a fall in prices. The contract contingencies grant is generally made up of the following items. First carriage of tents and records. Well, there is no falling off in cartage charges. The *nurrik* rates for carts are the same as they were before. Then, purchase of carpets, matting, etc. There may possibly have been some slight fall in the prices of these articles ; but they do not form a large proportion of the total expenditure. Purchase of books and newspapers. I would ask honourable members to say whether there has been any appreciable decline in the prices of newspapers or books. Peons' uniforms and belts. There, again, there has been no change. Lighting charges, and telephone charges. They certainly have not fallen ; if anything, they have risen. Hot weather establishment in Sind. Well, certainly, the wages of punka-pullers and men of that description have not fallen. Therefore, I submit that there is very little scope for retrenchment on the ground that there has been a fall in prices, and I regret I am not able to accept any further cut. I believe that the district officers will, as it is, regard it as a grievance that we have made the cut we already have made.

The honourable member, the Revenue Secretary, has just brought to my attention the fact that Mr. K. Sen of the Audit Department has been appointed by the Finance Department to investigate the question of contingent expenditure under the control of certain Collectors and suggest to Government what measures can be taken to effect economy. His report in respect of Karachi, Poona and Ahmedabad has been received. The first report, with the Commissioners' remarks thereon, is under examination by the Retrenchment Officer and the Commissioner in Sind. That shows that the question is under careful consideration. But in the meantime I am certainly not able to accept a further reduction than the one which was already made.

Mr. G. I. PATEL : What is the amount of conveyance charges ?

The Honourable Mr. J. L. RIEU : I regret I am unable to give details.

Mr. B. V. JADHAV : Will Government be pleased to place a copy of Mr. Sen's report on the Council table ?

The Honourable Mr. J. L. RIEU : Not until it has been considered.

Question put. House divided. Ayes, 39 ; Noes, 33. Motion carried.

Division No. 6.

Ayes.

AMBEDKAR, Di. B. R.
ANGADI, Rao Bahadur S. N.
ASAVALL, Mr. R. S.

BECHAR, Mr. N. A.
BHOSLE, Mr. M. G.
CHANDRAOHUD, Mr. N. B.

Ayes—contd.

CHIKODI, Mr. P. R.	NANAI, Mr. B. R.
DAGUMIYA, Mr. G. A.	NOOR MAHOMED, Mr.
DESAI, Mr. B. T.	PAHALAJANI, Mr. B. G.
DESAI, Rao Saheb D. P.	PATEL, Mr. G. I.
DESHFANDI, Mr. L. M.	PATEL, Mr. J. R.
DEKIT, Dr. M. K.	PATEL, Rao Saheb D. R.
FIBODRA, Mr. K. S.	PRADHAN, Mr. R. G.
GHINWALLA, Mr. F. J.	RAJMAL LAKHICHAND, Mr.
JADHAV, Mr. B. V.	SARDHARAI, Mr. S. A.
JAJRAMDAS DOULATRAM, Mr.	SHAIKH ABDUL AZIZ ABDUL LATIF, Mr.
JITEKAR, Mr. HAJI IBRAHIM HAJI	SHANKARRAO JAYARAMPAO ZUNARBAO,
MAHOMED	Mr.
JOSEI, Mr. S. C.	SHEKH, Mr. A. D.
KARKI, Mr. M. D.	SOLANKI, Dr. PURUSHOTTAMRAI G.
LALLJEE, Mr. Housainbhoy Abdullabhoi	SURVE, Mr. V. A.
MANSURI, Khan Saheb A. M.	SWAMINARAYAN, Mr. J. C.
MR MAHOMED BALOOCH SHAIKH, Mr.	VANDEKAR, Rao Saheb R. V.
NAIK, Rao Bahadur B. R.	

Tellers for the Ayes : Mr. G. I. PATEL and Mr. A. D. SMYTH.

Noes

ABDUL LATIF HAJI HAJRAT KHAN, Khan	JONLS, Mr. W. E.
Saheb.	KAMBLE, Rao Bahadur S. T.
ADDYMAN, Mr. J.	KAY, Sir JOSEPH
ALLAHBAKSH walad Khan Saheb HAJI	KHURRO, Mr. M. S.
MAHOMED UMAR, Mr.	MARTIN, Mr. J. R.
ANDERSON, Mr. F. G. H.	MEHTA, the Honourable Sir CHUNILAL
BALAK RAM, Mr.	MONTGATY, Mr. J.
BROWNE, Mr. D. R. H.	MUJUMDAR, Saidur G. N.
CHATFIELD, Mr. G. E.	OWEN, Mr. A. C.
DESAI, the Honourable Dewan Bahadur	PERRY, Mr. E. W.
HARILAL D.	PITCOI, Mr. F. W.
DUGUID, Mr. A.	PRADHAN, the Honourable Mr. G. B.
GHOSAL, Mr. J.	RITVI, the Honourable Mr. J. L.
GHULAM NABI SHAH, Khan Saheb	SMYTH, Mr. J. W.
HARRISON, Mr. C. S. C.	TAUNTON, Mr. I. H.
HATCH, Mr. G. W.	TURNER, Mr. C. W. A.
HOTSON, the Honourable Mr. J. E. B.	WILES, Mr. G.
JEHANGIR, the Honourable Mr. COWARJI	WINTERBOTHAM, Mr. G. L.

Tellers for the Noes : Mr. J. SMYTH and Mr. A. C. OWEN.

MR. B. G. PAHALAJANI (Western Sind) : Sir, I beg to move :

Reduce by Rs. 18,000—Rs. 78,000, Acquisition and Improvement of Land for village sites.

Before I proceed further, I must protest again that the system which prevailed before of showing the revised budget estimate for every expenditure has been discontinued for the last two years, with the result that there has been considerable confusion in the minds of the members so far as the actual expenditure during the current year is concerned. The budget estimate for 1926-27 is Rs. 64,244. We do not know what amount out of this Rs. 64,244 has been spent. The accounts for 1925-26 show only Rs. 4,686. Now I am unable to understand why Rs. 4,686 in 1925-26 should rise to Rs. 78,000 in 1927-28. Though the budget provision was for Rs. 64,244 last year, we do not know what amount of it has been spent during that year. I therefore will place it before the Government that this out of Rs. 18,000 should be agreed to so that it may bring the sum down to about Rs. 60,000, and I hope Government will admit that this is a reasonable out and that it will be accepted by them.

Question proposed.

Mr. J. W. SMYTH : Sir, the honourable member has asked some information as to how this amount of Rs. 78,000 will be spread over the whole Presidency. It is made up of the following items :—

			Rs.
Northern Division	..	..	12,163
Central Division	..	..	19,014
Southern Division	..	..	31,327
Sind	..	..	11,000

The total comes to Rs. 73,504. This is the proposed expenditure for the ensuing year, some of which has been recovered already, or will be recovered during the year. It is anticipated that the whole of this amount will be recovered from the villagers concerned, that is to say, that the expenditure which Government will be involved in will be nil.

The honourable member has also drawn attention to the small figure of Rs. 4,686 which appears in the accounts of 1925-26. I would explain briefly the system with regard to this item. The actual payment for land was debited to this item and the recoveries received from the villagers were deducted from the amount. The land was acquired at the public expense; that procedure involves a direct appropriation of receipts towards the expenditure which, as generally known, is found objectionable in audit. In 1926-27 full provision for the acquisition of land was made; this is to say, the proceeds of sales are no longer deducted from the charges. The figure of Rs. 4,686 which appears so small is due to the fact that the provision for it was made according to the old method, namely, first of all deducting the receipts from the amount spent and showing the net figure.

Dr. B. R. AMBEDKAR : Sir, I rise to a point of information. I do not exactly understand the object for which this amount is provided in the present budget. I should like to know from the Honourable Member in charge whether it is expended for the purposes of establishing new settlements of villagers who are dissatisfied with their own village sites, or whether the amount is spent for providing amenities to the villagers, or for what purpose. There is certainly no information given either in the Blue Book or the White Book to enable new members like myself to understand the exact purpose of this amount. I therefore hope that some enlightenment will be thrown on this subject.

Mr. F. G. H. ANDERSON : Sir, not very long ago, I had occasion to deal with a number of questions put by an honourable member from Kaira, with regard to the attitude of Government towards the congestion of village sites in Kaira, and the implication that Government should provide a lot of money to extend those village sites. Well, as my honourable friend the Revenue Secretary has explained, this is what this expenditure is for. Very frequently, a village is much too small for its inhabitants, and they want to acquire an extra acre or 5 acres of land to bring under houses. Sometimes the village sites are insanitary and cannot be

[Mr. F. G. H. Anderson]

used, and they desire to move to another place. I have had occasion to deal with actual instances of both these classes. In the old method of accounting, it was proposed to acquire a piece of land, say, for Rs. 10,000, and it was expected that the recoveries from the people who were allotted those building plots would exactly recoup the amount spent. Upon those principles, the expenditure in that year would be nil. But it sometimes happened that expenditure which was incurred in one year was recouped in the next year. That resulted in a small provision being needed for that year. That is what has happened in 1925-26; it is a very small amount. To this the Accounts Officers objected. They say that if you spend Rs. 10,000 in buying land and then sell it to people to build houses on, you must show the full Rs. 10,000 as the expenditure and Rs. 10,000 as the income. That has necessitated a larger provision being made for 1926-27. But the general public, or the taxpayer is in no way affected by these transactions. We may want to acquire a certain piece of land for a village, but the holder of that land may not be willing to part with it at a reasonable figure. Government then steps in and applies the Land Acquisition Act. They rightly say, we must acquire the land, we must give room to the people to live. Then we have to make provision for the cost of securing that land. Sometimes, it is not only necessary to acquire the land, but it is necessary to improve it. It may be necessary to clear the land, to level it, and to make it suitable as a building site. Where such expenditure has been incurred, it is added to the cost, and each Collector who deals with such cases takes care to see that there is no appreciable increase in the taxpayer's burden on these transactions. The intention is not to make a profit, and I submit this House could not possibly think of depriving the Government of the power of acquiring land for village sites which have become congested.

Mr. B. G. PAHALAJANI : Sir, in view of the explanation given by the honourable member the Revenue Secretary, I ask for leave to withdraw the motion.

Question put and leave granted.

Mr. K. S. FIRODEA (Ahmednagar District) : Sir, I move the motion of which I have given notice, namely :

"Reduce Rs. 2,00,000—Charges of Administration, Land Revenue, Rs. 25,23,000."

My reasons for moving this motion are that it has been argued and decided by this side of the House that Government must retrench this year as far as possible. It has also been conceded by Government that they are prepared to make retrenchment wherever it is possible and reasonable. I can say that this is the head with regard to which it appears to be very reasonable that Government should accept this cut of Rs. 2 lakhs. We find from the Civil Estimates that the expenditure for the year 1925-26 on this head was Rs. 23,20,630, while for the next year it is Rs. 25,23,000. I cannot understand why there should be any reason for an increase of Rs. 2 lakhs and more. On the contrary, if we look to the revenue that is collected during these years, it is in the inverse proportion. In 1925-26

[Mr. K. S. Firodea]

the revenue collected is Rs. 5,41,00,000, while the revenue to be collected in the next year is Rs. 5,30,00,000.

Taking into consideration this proportion also I think there ought to be a reduction of two lakhs easily. I cannot understand what grounds are there for Government to make an increase under this head. I therefore hope the House will accept this reduction of two lakhs.

Mr. L. M. DESHPANDE (Satara District) : Sir, it appears to me that it is the wish of the Government that there should be a decrease under this head. On page 42 of the Blue Book it is stated in paragraph 6 :

"There is a decrease of 57 in the total grant under this minor head in the next year's provision as compared with the current year's budget. This is mainly due to reduced provisions having been made under 'Pay Establishments, Allowances and Contingencies.'"

I wish to point out that the revised estimate of 1926-27 gives us the figure of 24,26 and the budget estimate for 1927-28 is 25,54. The figure for 1927-28 is more than the revised estimate of 1926-27. Therefore a decrease was contemplated, as it is stated in the paragraph I referred to. The actual figure for 1925-26 is 23, 54. I think Government contemplated to provide on the basis of the accounts for 1925-26 ; and they say that it was due to the reduced provisions made under "Pay Establishments, etc." I think that it will be easy for Government to accept this reduction.

Rao Saheb D. P. DESAI (Kaira District) : Sir, a portion of the pay of the deputy collectors, mamlatdars and collectors has been transferred from the General Administration to the Revenue Department. In spite of that I find that somehow or other there has been an increase of two lakhs. Further Government have not given any explanation as to why it has been increased. In the absence of any explanation by Government, I think that the pay of the establishments stated on page 94 of the Civil Estimate has been *prima facie* increased. In the absence of any explanation I think two lakhs must be deducted from this head.

As a matter of fact it appears to me that the General Administration includes every head and is administered by all the seven Members of Government including Ministers. That is characteristic of the policy of the present Government. The expenditure on the General Administration goes on increasing, and I do not know for how long such increase can be allowed to go on.

Mr. R. S. ASAVALE (Bombay City, North) : Sir, I support the cut proposed by the honourable mover, because in the budget estimate for 1926-27 the figure given is Rs. 25,28,000 and the revised estimate in the same year was Rs. 23,90,000. I would like to know from the Honourable the General Member how the increase of Rs. 1,33,000 has come in. Unless some information is given it will be difficult for us to vote either way.

Mr. G. WILES : Mr. President, as usual my honourable friend from Kaira is full of suspicions which I hope to dispel. The increase of two lakhs under this head is susceptible of a simple explanation. If

[Mr. G. Wiles]

honourable members refer to page 31 of the Blue Book they will see that the expenditure budgeted for next year 1927-28 is exactly two lakhs more than the expenditure that was incurred in 1925-1926. If honourable members will turn to page 50 of the Civil Estimate they will find an item towards the bottom : " Damages awarded by the High Court in the Kolaba Khoti appeals. " That provision was made last year in the budget but it was not spent. That is why the revised estimate came down by two lakhs. It has now been added to the next year's budget and consequently there is an increase of two lakhs. There has not been any increase in expenditure.

Mr. K. S. FIRODEA : In view of the explanation I wish to withdraw my motion.

Question put and leave granted.

Mr. N. R. GUNJAL (Poona District) (Addressed the House in Marathi) : Sir, I beg to move the following motion :

" Omit pay of Manager Rs. 15,000 (Civil Estimate 51). "

I do not consider that a manager for cadastral maps on such a high salary is necessary. He simply exacts work from his subordinates who really do the work. For such a simple work an officer on such a high salary is not necessary.

Mr. F. G. H. ANDERSON : Mr. President, I should like to deal with the points raised by my honourable friend Mr. Gunjal. While he was speaking I had great difficulty in hearing what he did say : I dare say, you, Sir, shared that difficulty. But I gather that his objections are these : Firstly, he does not want a European officer ; secondly, if we do want one, he should not get Rs. 1,200 per month. I can give him one conclusive answer, and that is, that about two years ago we were anxious to find a possible successor for him ; we advertised all over India, especially to see whether we could get any officer in India, whether Indian or European, to take up this work ; but the result was that we found absolutely no one. No one applied, nor could we by enquiry on this side of India find anybody, who came near to fulfill our requirements—the requirements being ten years' experience in photo-zinco, helio, half-tone, and block work and all methods of reproduction of maps by means of photography and otherwise. We have at present in the Boltan Court School a bachelor of science, a Gujarati, who has been sent, after a certain amount of training in the Photo-zinco office, to England, at the expense of Government in order that he may be trained in that kind of work and made fit to take over the work of that post when it falls vacant. There are two things I desire to emphasise : firstly, that it will not be possible for him to do, so without getting 10 years' technical training, and practical experience, and secondly, when he has had that, whether he be Indian or a European, he will not consent to take up the job for less than we are paying now. Anyone possessing the same qualifications as Mr. Audy, the Manager of the Photo-Zinco Press can command a better salary than we pay him with ease anywhere. The only consideration that has retained him in his present office is, that he is at the end of his term of service and he will

[Mr. F. G. H. Anderson]

lose his pension if he quits his service : and a man is naturally reluctant to cut himself loose from the interests and association of a lifetime. If you will turn to the Blue Book which was presented yesterday, the Administration Report of the Irrigation branch of the Public Works Department, you will find in that any number of photographs, and diagrams and maps at the end : you will find also a very fine coloured sketch of the Lloyd Dam at Bhatgar. Maps and illustrations of that sort which accompany every Government publication have to be done at the Photo-Zinco Press ; if we were to get them done elsewhere, it would cost us much more. Such work cannot be done without a skilled manager. I will therefore ask the House not to accept the motion.

The Honourable Sir CHUNILAL MEHTA : Sir, I was wondering whether there was going to be any further discussion. The honourable member the Settlement Commissioner has explained the facts in connection with the employment of this officer. I rise now to speak, because it was when I was Revenue Member that this question was discussed and decided by Government. The honourable member Mr. Anderson has informed the House of the attempts that were made to find an officer to do this highly technical work, in India, whether Indian or European. I personally, Sir, took pains to discover whether an Indian could be found. I approached the Laxmi Printing Works, who are doing this kind of work in an extremely satisfactory manner, and who had sent an Indian for study in Germany. We advertised freely and I found that such an officer was not available. We then came to the conclusion that it was desirable to train an Indian officer, as one was not available. We have sent one young man to England at Government expense ; we have made an agreement with him that on his return he shall serve Government for a certain number of years on a certain scale of salary. It is with a view to train an Indian officer for this highly specialised process that we have undertaken the expenditure of sending a man and paying all his expenses. I do not think that anything further could have been done, and I consider that it would be a great mistake to do away with this particular officer when we are not in a position to replace him by any one in this country.

Mr. N. A. BECHAR (Karachi City) : Mr. President, I think the explanation given by the Honourable the Leader of the House is very satisfactory. I really wanted to ask him whether Government could not train an Indian in order that he may take the place of the present officer when he retires, but the honourable member has anticipated me, and has already taken action and we are now satisfied. In these circumstances, I hope the honourable member Mr. Gunjal will not press his motion to a division.

Mr. N. R. GUNJAL (Addressed the House in Marathi) : In view of what the Honourable the Finance Member has stated, I beg leave to withdraw the motion.

Question put and leave granted.

The Honourable the PRESIDENT : The House will now adjourn till 2 o'clock on Thursday, the 3rd March 1927.

Vol. XIX

Part XI



Bombay Legislative Council Debates

Official Report

Thursday, March 3, 1927

[Price—Annas 5 or 6d.]

BOMBAY
PRINTED AT THE GOVERNMENT CENTRAL PRESS
1927

Obtainable from the Superintendent of Government Printing and Stationery,
Bombay, from the High Commissioner for India, 42 Grosvenor Gardens,
S.W. 1, London, or through any recognized Bookseller

3 MAR. 1927]

Thursday, the 3rd March 1927

The Council re-assembled at the Town Hall, Bombay, at 2 p.m., on Thursday, the 3rd March 1927, the Honourable the President, Mr. A. M. K. DEHLAVI, Bar.-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Saheb
 ADDYMAN, Mr. J.
 AHMAD, MOULVI RAFTUDDIN
 ALLAHBAKSH walad Khan Saheb HAJI MAHOMED UMAR, Mr.
 AMBEDKAR, Dr. B. R.
 AMIN, Mr. H. J.
 ANDERSON, Mr. F. G. H.
 ANGADI, Rao Bahadur S. N.
 ASAVIE, Mr. R. S.
 BALAK, RAM, Mr.
 BECHAR, Mr. N. A.
 BHOSLE, Mr. M. G.
 BHURGRI, Mr. J. W.
 BHUTTO, Khan Bahadur S. N.
 BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
 BIRADAR, Sardar MAHABOOBALI KHAN
 BOLE, Mr. S. K.
 BROWNE, Mr. D. R. H.
 CHATFIELD, Mr. G. E.
 CHIKODI, Mr. P. R.
 DABHOLKAR, Sir VASANTRAO
 DAGUMIYA, Mr. G. A.
 DAUDKHAN SHALEBHOY, Mr.
 DESAI, the Honourable Dewan Bahadur HARILAL D.
 DESAI, Mr. B. T.
 DESAI, Mr. J. B.
 DESAI, Rao Saheb D. P.
 DESHPANDE, Mr. L. M.
 DIXIT, Dr. M. K.
 DUGUID, Mr. A.
 FIRODEA, Mr. K. S.
 GHOSAL, Mr. J.
 GHULAM HAIDAR SHAH, Mr.
 GHULAM NABI SHAH, Khan Saheb
 GILDER, Dr. M. D.
 GINWALLA, Mr. F. J.
 GUNJAL, Mr. N. R.
 HARRISON, Mr. C. S. C.
 HATCH, Mr. G. W.

HOTSON, the Honourable Mr. J. E. B.
 JADHAV, Mr. B. V.
 JAIRAMDAS DOULATRAM, Mr.
 JAN MAHOMED KHAN, Khan Bahadur
 JANVEKAR, Mr. D. A.
 JATOI, Khan Bahadur HAJI IMAMBAKSH KHAN
 JEHangIR, the Honourable Mr. COWASJI
 JITEKAR, Mr. HAJI IBRAHIM HAJI MAHOMED
 JONES, Mr. W. E.
 JOSHI, Mr. S. C.
 KALE, Rao Bahadur R. R.
 KAMBIJI, Rao Bahadur S. T.
 KARKI, Mr. M. D.
 KAY, Sir JOSEPH
 KHUERO, Mr. M. S.
 LALJI, NARANJI, Mr.
 LALLJEE, Mr. HOOSEINBHOY ABDULLABHOY
 MAJMUDAR, Mr. N. G.
 MANSURI, Khan Saheb A. M.
 MARTIN, Mr. J. R.
 MEHTA, the Honourable Sir CHUNILAL
 MIR MAHOMED BALOCH SHAIKH, Mr.
 MONTMATH, Mr. J.
 MUJUMDAR, Sardar G. N.
 MUKADAM, Mr. W. S.
 MURZBAN, Mr. P. J.
 NAIK, Rao Bahadur B. R.
 NANAL, Mr. B. R.
 NOOR MAHOMED, Mr.
 OLIVEIRA, Mr. F.
 OWEN, Mr. A. C.
 PAHALAJANI, Mr. B. G.
 PAINTER, Mr. H. L.
 PATASKAR, Mr. H. V.
 PATEL, Mr. G. I.
 PATEL, Mr. J. R.
 PATIL, Rao Saheb D. R.
 PERRY, Mr. E. W.
 PETCH, Mr. F. W.
 PRADHAN, the Honourable Mr. G. B.
 PRADHAN, Mr. R. G.
 RAHIMTOOLA, Mr. HOOSENALLY M.
 RAJMAL LAKHICHAND, Mr.
 RIEU, the Honourable Mr. J. L.
 SARDESAI, Mr. S. A.
 SAYED MUHAMMAD KAMIL SHAH
 SAYED MUNAWAR, Mr.
 SHAIKH ABDUL AZIZ ABDUL LATIF, Mr.
 SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.

SMYTH, Mr. A. D.
 SHIVDASANI, Mr. H. B.
 SMYTH, Mr. J. W.
 SOLANKI, Dr. PURUSHOTTAMRAJ G.
 SURVE, Mr. V. A.
 SWAMINARAYAN, Mr. J. C.
 TAUNTON, Mr. I. H.
 THORNBEE, Mr. J. P.
 TURNER, Mr. C. W. A.
 VANDEKAR, Rao Saheb R. V.
 WILES, Mr. G.
 WINTERBOTHAM, Mr. G. L.

The Honourable the PRESIDENT : Order, order. Questions.

EKruk TANK WATER

Khan Saheb ABDUL LATIF HAJEE HAJRATKHAN (Poona and Sholapur Cities) : Will Government be pleased to state—

(a) In which year the height of minimum 22' for the Ekruk tank at Sholapur was fixed ?

(b) What was the maximum water level in the Ekruk tank each year after the height of 22' was fixed ?

(c) How much acreage of each crop was irrigated each year after the fixing of the height ?

(d) What is the present height of the water in the Ekruk tank ?

(e) How much acreage is sanctioned for cultivation this year ?

(f) What will be the probable height of water in the Ekruk tank at the end of May next ?

(g) If it is expected to be above the usual height, what was the necessity of keeping in reserve so much extra height this year ?

(h) How much additional area would have been cultivated if only usual height of 22' had been kept ?

The Honourable Mr. COWASJI JEHangIR : The information has been called for.

PUBLIC PROSECUTORS : MAHOMEDANS

MOULVI RAFIUDDIN AHMAD (Central Division) : Will Government be pleased to state—

(a) whether they are aware that there is not a single Mahomedan Public Prosecutor in the whole of the Presidency ;

(b) whether they are aware that there are qualified Mahomedans available for the post ?

The Honourable Mr. J. E. B. HOTSON : (a) There is no Mahomedan Public Prosecutor, but there are five Mahomedan Assistant Public Prosecutors.

(b) Some of the Mahomedan Assistant Public Prosecutors and no doubt some other Mahomedan pleaders also are qualified for appointment as Public Prosecutors. Their claims, as well as those of other qualified persons, are, and will be, duly considered when vacancies occur.

Mr. W. S. MUKADAM : May I know whether the claims of Mahomedans are overlooked when making these appointments ?

The Honourable Mr. J. E. B. HOTSON : No.

UNEMPLOYMENT RELIEF, BOMBAY CITY

Mr. R. S. ASAVALE (Bombay City, North) : Will Government be pleased to state—

Whether they intend to introduce any measure for providing some relief work to the unemployed Textile and other labourers permanently living in the City of Bombay as they do in the case of some of the Agriculturists and other labourers in Districts whenever there is famine ?

The Honourable Mr. COWASJI JEHangIR : No, as no such relief works are, in the opinion of Government, required.

Mr. R. S. ASAVALE : Can the Government not have hand-spinning and hand-weaving introduced on a small scale ?

(No reply.)

FACTORY INSPECTORS : INDIANS

Mr. R. S. ASAVALE (Bombay City, North) : Will Government be pleased to state—

(a) the total number of inspecting staff employed in the Factory Inspection Department for the City of Bombay ;

(b) The number of Indians with their caste ?

The Honourable Mr. COWASJI JEHangIR : (a) No special factory inspection staff is definitely allocated to Bombay City. The Chief Inspector of Factories and the Woman Inspector are stationed in Bombay but have jurisdiction over the whole Presidency. In addition 2 Inspectors and 2 Assistant Inspectors are stationed in Bombay City and their jurisdiction includes Bombay City and the Central and Southern Divisions of the Presidency.

(b) Of the above, three are Indians ; two being Brahmins and one a Parsi.

MOULVI RAFIUDDIN AHMAD : May I know the name of the woman Inspectress ?

The Honourable Mr. COWASJI JEHangIR : Dr. Miss Cama.

EUROPEAN SOLDIER : CONDUCT AT CHALISGAON STATION

Mr. M. G. BHOSLE (West Khandesh District) : Will Government be pleased to state—

(a) Whether their attention has been drawn to an Editorial Note in the Prabodh of Dhulia dated 28th November 1926, narrating the pranks of a European Soldier passenger in a special troops train at the Chalisgaon Station on 23rd November 1926 who first threw pieces of bread at the passengers waiting on the platform and then threw a bottle at them and caused grievous hurt to a child six years old ?

(b) Whether any inquiries, departmental or otherwise, were made and with what result?

The Honourable Mr. J. E. B. HOTSON: (a) Government have not seen the article in the "Prabodh" but the incident has come to their notice through other means.

(b) Enquiries have been made by the Police and through the Military Authorities but the soldier who is alleged to have committed the act has not been traced.

Mr. W. S. MUKADAM: Is it not the practice of Government to get newspapers and see, if the attention of Government is drawn by any honourable member to a question of public interest?

The Honourable Mr. J. E. B. HOTSON: Well, we have already had our attention called to it; I do not remember whether in this particular newspaper or another.

Mr. W. S. MUKADAM: Is it not the practice of Government to get the newspaper referred to and to see the very article?

The Honourable Mr. J. E. B. HOTSON: It is usually done.

Mr. W. S. MUKADAM: What further action Government is going to take to find out the culprit?

The Honourable Mr. J. E. B. HOTSON: It is impossible to find the culprit now. Even at the time when the accident occurred the people on the platform were unable to point out the compartment in which the person who threw the bottle was sitting. The soldiers in the train were brought direct to Bombay and embarked the very next day.

DRINKING WATER, AHMEDNAGAR DISTRICT

Mr. K. S. FIRODEA (Ahmednagar District): Will Government be pleased to state—

(a) whether they are aware of the fact that owing to the failure of rains in the Ahmednagar District, there is no drinking water available in a good many villages:

(b) whether they have taken any steps to meet the situation;

(c) if yes, what is the relief that is given;

(d) if not, whether they intend to take any steps in the matter?

The Honourable Mr. J. L. RIEU: (a) Government are aware that there is in places a shortage of drinking water.

(b) Yes.

(c) Additional grants for the supply of drinking water aggregating to Rs. 14,970 have been placed at the disposal of the Collector of Ahmednagar and the District Local Board, Ahmednagar, and the condition on which these grants are usually made, viz., that the District Local Board should contribute one half of the Government grant, has been waived.

(d) Does not arise.

Rao Bahadur B. R. NAIK: May I know if Government propose to take similar steps in respect of other places where famine grants are

allotted to other district local boards for water supply works during the current year ?

The Honourable Mr. J. L. RIEU : I am not sure whether such action has not already been taken in other districts.

PROHIBITION COMMITTEE'S REPORT : PUBLICATION OF SUMMARY

Mr. JAIRAMDAS DOULATRAM (Eastern Sind) : Will Government be pleased to state—

(a) whether it is a fact that a full summary of the draft report of the Prohibition Committee and the dissenting minute of one of its members was published in a Bombay newspaper on the 4th February 1927 ;

(b) whether it is a fact that by that date the Report had not yet been submitted to Government ;

(c) whether it is a fact that by that date some of the members had not even signed the Report ;

(d) whether it is a fact that the draft report as published was altered in several points at a meeting of the Committee held on the evening previous to the publication of the draft report ;

(e) whether they have made any attempts to discover how the draft Report came to be communicated to the press ; if so, with what result ; if not, why have not such attempts been made ?

The Honourable Mr. G. B. PRADHAN : (a) to (d) Yes.

(e) A copy of the Press Note No. P/22 dated 12th February 1927 issued by the Director of Information is placed on the Council table. The Chairman of the Committee is enquiring into the matter.

PRESS NOTE No. P/22, DATED 12th FEBRUARY 1927

Government have made careful enquiries regarding the publication in a Bombay daily newspaper on February 4 of what purported to be the report of the committee to consider and report on the financial measures to be introduced in order to give effect to the policy of prohibition, and are satisfied that no Government official was directly or indirectly concerned with it.

Government desire to express regret that the report which has been revised and corrected at a further meeting, which did not contain the dissenting minutes and which was not signed and submitted to Government should have been published.

LOCAL SELF-GOVERNMENT COMMITTEES' REPORTS

Mr. JAIRAMDAS DOULATRAM (Eastern Sind) : Will Government be pleased to place on the Council table—

(a) Copies of the reports of the Committees appointed to consider (1) the question of financial aid to local boards, (2) the question of the future of village panchayats, (3) the question of the transfer of provincial roads and buildings to District Local Boards for maintenance and (4) the question of the transfer of control of medical, vaccination and veterinary staffs to District Local Boards and the re-organization of the Public Health Department ;

(b) copies of the decisions of Government on the recommendations of the Committees ?

The Honourable Dewan Bahadur HARILAL D. DESAI : A copy of each of the reports of Committees referred to in (1), (2) and (4)

is laid* on the Council table. Government have arrived at no decision on the reports which are being considered. No report has been made by the Committee referred to in (3).

TAGAI LOAN FOR LAND IMPROVEMENT IN KANARA

Mr. M. D. KARKI (Kanara District): Will Government be pleased to state—

(a) in tabular form how many applications for Tagai Loans for land improvement were made from each of the talukas and pethas in the Kanara district in the years 1924, 1925 and 1926; what was the amount asked for in each of the cases and how many of them were sanctioned by the Collector and to what extent;

(b) to state whether they are aware that there is a general complaint of the ryots that their applications for Tagai for land improvement take a long time for disposal one way or the other;

(c) if so, what action they have taken and intend to take in the matter, if not, what is the length of time taken for the disposal of such applications;

(d) whether they are aware that there is discontent among the ryots of Sirsi on the ground that the applications for Tagai for land improvement from their taluka do not meet with sympathetic consideration;

(e) if not whether it is a fact that the application of Mr. Durgappa Tamnappa Desain for Rs. 1,000 and that of Mr. G. R. Patwardhan for Rs. 500 were not sanctioned. If yes, what was the time taken in each of these cases for disposal?

The Honourable Sir CHUNILAL MEHTA: Information has been called for.

PUBLIC PROSECUTORS: MUHAMMADANS

Khan Saheb A. M. MANSURI (Ahmedabad and Surat Cities): Will Government be pleased to state—

(a) whether they have a list prepared of Muhammadan Pleaders suitable for the posts of public prosecutors in the Presidency proper;

(b) whether the claims of these Muhammadan pleaders are considered in appointing public prosecutors whenever vacancies occur;

(c) how far the intentions of Government as contained in their resolution to allot 50 per cent. of the posts to the Mussalmans and backward classes are given effect to in these appointments?

The Honourable Mr. J. E. B. HOTSON: (a) and (b) Yes.

(c) The primary object of Government is to appoint the best man available. The claims of the Mussalmans and backward classes to their fair share of appointments are, and will be, recognised.

Mr. W. S. MUKADAM: May I know whether the Government look to the efficiency of the administration first or to the communal matter first? I would like to know that.

The Honourable Mr. J. E. B. HOTSON : Is the answer (c) not clear enough ?

Mr. W. S. MUKADAM : As it is not clear enough, I have put this supplementary question.

(No reply.)

INDUS WATERS : AGREEMENT WITH PUNJAB GOVERNMENT

Mr. P. J. MARZBAN (Bombay City, South) : Will Government be pleased to state—

What arrangements have been arrived at with the Punjab Government regarding the waters of the Indus ?

The Honourable Mr. COWASJI JEHangIR : The Government of India have given an assurance as *mutatis mutandis* they have the Punjab Government that no new major irrigation project in the Punjab will be sanctioned until the Government of Bombay have received timely notice and full information as regards the scheme in hand and have been given the opportunity to represent their case, should such project appear to them to be unfavourable to their interests.

Mr. JAIRAMDAS DOULATRAM : Will Government be pleased to place on the Council table the communication they have received from the Government of India in this matter ?

The Honourable Mr. COWASJI JEHangIR : That is contrary to orders. Mr. President, as you know, communications received from the Government of India are supposed to be confidential.

Mr. JAIRAMDAS DOULATRAM : All communications, including those intimating remission of provincial contributions ?

The Honourable Mr. COWASJI JEHangIR : No : that is not confidential. That is announced in public. The honourable member is referring to communications between the Government of Bombay and the Government of India.

Mr. G. I. PATEL : May I know whether communications from the Government of India which affect the finances or the future prospects of this province and thus affect the budget of this province, are considered strictly confidential, such as could not be placed in the hands of the honourable members ?

The Honourable Mr. COWASJI JEHangIR : The whole letter cannot be placed on the Council table. But if honourable members will ask me any specific questions on any particular points, I will give them all the information that I have got just now, or I will give it afterwards if I have not got it here now. But the orders are that any communication as a whole from the Government of India cannot be placed on the table of the House.

Mr. G. I. PATEL : Will the honourable member kindly be pleased to place such information from this communication as can be placed upon the Council table after withholding that which is considered as confidential ?

The Honourable Mr. COWASJI JEHangIR : What was the question of the honourable member for Hyderabad (Mr. Jairamdas Doulatram) ?

Mr. JAIRAMDAS DOULATRAM : My question was whether Government will be pleased to place on the Council table the communication that they have received on this subject from the Government of India. Is it suggested that the members of this House will be able to indicate to the honourable member the portions which they have not read ?

The Honourable Mr. COWASJI JEHangIR : If possible, I will put the substance of that letter on the table of the House.

Mr. JAIRAMDAS DOULATRAM : Will Government also be pleased to state if, when they do receive any subsequent communications from the Government of India relating to the proposals of the Punjab Government, they will place the communications or their substance on the Council table ?

The Honourable Mr. COWASJI JEHangIR : I cannot give such an undertaking just now without knowing what is the substance of those letters. They may be of a confidential nature between two Governments, or they may not. I cannot give an undertaking on behalf of Government, for now and the future, to place communications on this matter on the Council table.

Mr. JAIRAMDAS DOULATRAM : Will Government be pleased to state whether they can give this undertaking that, before the Government of Bombay is committed to start or commence any such irrigation project, they will give this House an opportunity of discussing it ?

The Honourable Mr. COWASJI JEHangIR : Certainly.

Mr. P. J. MARZBAN : May I ask whether the Punjab are going to use any water of the Sukkur Barrage ?

The Honourable Mr. COWASJI JEHangIR : It will take me some time to answer my honourable friend's question fully ; the Punjab are not going to use any water of the Sukkur Barrage.

Rao Saheb D. P. DESAI : I think the object of my honourable friend Mr. Marzban's question was to know whether the Punjab withdrawals will affect the waters of the Indus.

The Honourable Mr. COWASJI JEHangIR : That is the question which is being discussed between the two Governments at present ; that is the main issue and it is under discussion.

Rao Saheb D. P. DESAI : Will Government be pleased to state whether they have any apprehensions in this matter ?

The Honourable Mr. COWASJI JEHangIR : This Government have great apprehensions on the subject.

Rao Saheb D. P. DESAI : Have Government any apprehensions regarding the withdrawal of waters by the Sukkur Barrage affecting the interests of the people in Sind, having regard to the conditions that prevail in southern Sind ?

The Honourable Mr. COWASJI JEHangIR : No.

Mr. G. I. PATEL : Will the honourable member be pleased to state whether any schemes have been so far framed or contemplated by the Punjab Government which could affect the withdrawal of the waters of the Indus in a manner as would affect the Sukkur Barrage ?

The Honourable Mr. COWASJI JEHangIR : The Government of the Punjab have put up proposals which in the opinion of the Government of Bombay may have prejudicial effect upon the Sukkur Barrage Scheme.

Mr. G. I. PATEL : Have they been carried through the Punjab Council ?

The Honourable Mr. COWASJI JEHangIR : No : they have not been sanctioned by the Government of India.

Khan Bahadur S. N. BHUTTO : Is Baluchistan going to use water from the Sukkur Barrage ?

The Honourable Mr. COWASJI JEHangIR : One of the canals will pass through Baluchistan, as the honourable member perhaps knows and they will use some of the water.

Khan Bahadur S. N. BHUTTO : Without paying anything ?

The Honourable Mr. COWASJI JEHangIR : Oh, no ; they will pay.

Khan Bahadur S. N. BHUTTO : What are they going to pay ?

The Honourable Mr. COWASJI JEHangIR : If the honourable member will ask me a separate question, I will give him a full reply as to what Baluchistan people are going to pay.

Mr. H. B. SHIVDASANI : What is a major irrigation project ?

The Honourable Mr. COWASJI JEHangIR : A major irrigation project is one which is not a minor irrigation one. (Laughter.)

Mr. H. B. SHIVDASANI : How much water can the Punjab utilise without the sanction of the Government of India ?

The Honourable Mr. COWASJI JEHangIR : The present constitution is that the Punjab Government cannot undertake a scheme which costs more than Rs. 50,00,000 without the previous sanction of the Government of India ; nor can this Government or this Council sanction a scheme that costs more than Rs. 50,00,000 without the previous sanction of the Government of India.

Mr. H. B. SHIVDASANI : Does that mean that they can have any number of small or minor irrigation schemes costing less than Rs. 50,00,000 ?

The Honourable Mr. COWASJI JEHangIR : They can have one or more irrigation schemes costing less than Rs. 50,00,000 without the previous sanction of the Government of India.

Mr. H. B. SHIVDASANI : How are the interests of the Sukkur Barrage to be safeguarded if that is so ? They may have ten or fifteen minor irrigation schemes.

The Honourable Mr. COWASJI JEHangIR: I am informed that that is not possible; the hypothesis put forward by the honourable member is physically impossible, I understand.

Mr. H. B. SHIVDASANI: What is physically impossible?

The Honourable Mr. COWASJI JEHangIR: The honourable member's question was whether the Punjab Government could have more than one small irrigation scheme which would prejudicially affect the interests of the Sukkur Barrage. The answer is that the Punjab Government cannot have more than one scheme—small scheme—because it would not be possible. They could only have a big scheme.

Mr. JAIRAMDAS DOULATRAM: Will Government be pleased to consider the desirability of appending to the annual irrigation report of this presidency a note reviewing the irrigational projects of new irrigation works carried out or contemplated in the Punjab?

The Honourable Mr. COWASJI JEHangIR: Such as affect this presidency?

Mr. JAIRAMDAS DOULATRAM: Yes.

The Honourable Mr. COWASJI JEHangIR: I think it is a very useful suggestion and Government will certainly consider it.

GUJARAT SARDARS

Sardar G. N. MUJUMDAR (Deccan Sardars and Inamdars): Will Government be pleased (a) to state whether the order of the Gujarat Sardars is a newly created one?

(b) If so, to state what the object in view was in creating it.

(c) To state when this order was created?

(d) To place on the Council table a copy of the Government Resolution, Political Department, No. 6265 of 21st September 1909?

(e) To state how many classes of Gujarat Sardars there are?

(f) To state whether the Sardarship conferred there is a hereditary one or for rank and precedence only?

The Honourable Mr. J. E. B. HOTSON: (a), (c) and (d) The order of the Sardars of Gujarat was created by Government Resolution, Political Department, No. 6265, dated the 21st September 1909, which was published in the *Bombay Government Gazette*. A copy of the Resolution is placed on the Council table.

(b) The object was to recognise, as in the case of the Deccan Sardars, the social status of certain Gujarat Talukdars, Inamdars and other large landholders some of whose ancestors ranked among the nobility of Gujarat in olden times, and to secure to them a seat on the Legislative Council—which was being enlarged consequent on the Morley-Minto Reforms—with a view to the representation of the landed interests of Gujarat.

(e) Two classes.

(f) The appointment is for rank and precedence only.

CONSTITUTION OF A BODY OF SARDARS TO BE KNOWN AS THE "SARDARS OF GUJARAT"

No. 6265

POLITICAL DEPARTMENT

Bombay Castle, 21st September 1909

RESOLUTION OF GOVERNMENT

His Excellency the Governor in Council is pleased to constitute a body to be known as the "Sardars of Gujarat." The Sardars will enjoy the same privileges in respect of rank and precedence as the red ink Sardars of the Deccan.

2. Talukdars, Inamdars and other landholders whose income from land is not less than Rs. 10,000 a year will ordinarily be admitted to the list of Sardars. Other landholders whose income from land is less than Rs. 10,000 but who appear to His Excellency the Governor in Council to be qualified for the position by their character, attainments, rank, and public services may also be admitted.

3. The Sardars will have the privilege of electing from among themselves a member of the Legislative Council.

4. For purposes of rank and precedence the Sardars of Gujarat will be divided into two classes. It will lie with His Excellency the Governor in Council to decide whether any individual shall be included, and, if so, in which class. The Governor in Council also reserves discretion to remove from the list the name of any person without assigning any reason for the removal. A list will be prepared by the Commissioner, Northern Division, and corrected from time to time, as occasion arises, showing the names of the Sardars of the First and Second Classes. His Excellency the Governor in Council is pleased to direct that the first list of the Sardars of Gujarat shall contain the following names in the First Class :—

First Class

Ali valad Zain El Edrus, Saiyid,
Agarsinghji Raisinghji, Thakor of Gamph,
Chinubhai Madhavlal, C.I.E.,
Dulabava Raisinghji, Thakor of Kervada,
Fatesinghji Dipsinghji, Talukdar of Kanjri,
Ganpatsinghji Himatsinghji, Thakor of Sarod,
Juwansinghji Jasvatsinghji, Talukdar of Gangad,
Kaikhushru Edalji Modi Davar,
Mazrafar Hussenkhan valad Nawab Ghulam Babakhan, Mir, Nawab Saheb,
Naharsinghji Ishwarsinghji, Thakor of Amod,
Ramalsinghji Bhagvatsinghji, Talukdar of Sanand,
Sursinghji Dajiraj, Talukdar of Utelia,

and the following names in the Second Class :—

Second Class

Adamian Karimkhan Malek, Kasbati of Thori, Vani, etc.,
Amarsinghji Indarsinghji, Talukdar of Mogar,
Ashkarali Lalman, Talukdar of Oran,
Bapuji Khurshedji Modi,
Bahmanji Ardeshir Dalal,
Bulakhi Punyaji, Talukdar of Ranpur,
Chandrasinghji Himatsinghji, Thakor of Matar,
Dadasaheb alias Shermuhammad Babasaheb, Menashri,
Devisinghji Raisinghji, Talukdar of Makhiav,
Gagrajgar Ishvargar, Mahant of Blumnath,
Gopal Manohar Tambekar,
Hamarsinghji Shivsinghji, Thakor of Dehej,
Harischandra Bhagvantrav,
Imam Haidarbakh valad Musamian Saheb, Saiyid,
Ishvardas Jagjivandas Store,
Jayendrarav Babarav Divatia,

Jitsinghji Bharatsingji, Thakor of Jhanor,
 Kesarsinghji Gumanarsinghji, Talukdar of Mogar,
 Kunvarsahab Bapusaheb, Talukdar of Bhamaria,
 Lalbhai Dalpatbhai,
 Mahashankar Harishankar,
 Muhammad Ghulam Raza alias Amumian Sahab Chhota Sahab,
 Motilal Chunilal, Rao Bahadur,
 Naharsinghji Mehrmansinghji, Talukdar of Dehvan,
 Purshottamdas Viharidas,
 Payar Muhammadkhan Latifkhan, Kashti of Dholka,
 Raisinghji Narharsinghji, Talukdar of Mehlol,
 Trimbaklal Bhavanishankar,
 Vajesingh Jorawarsingh, Naik.

5. The Commissioner, Northern Division, should be requested to inform each gentleman of the dignity conferred on him.

(Signed) J. H. DUBOULAY.

Secretary to Government.

To

The Commissioner, N. D.,
 The Commissioner, C. D.,
 The Commissioner, S. D.,
 The Collector of Ahmedabad.
 The Collector of Broach,
 The Collector of Kaira,
 The Collector of Panch Mahals,
 The Collector of Surat,
 The Revenue Department of the Secretariat,
 The General Department of the Secretariat,
 The Judicial Department of the Secretariat,
 The Legal Department of the Secretariat.

SARDARSHIP : POLICY OF PROMOTION

Sardar G. N. MUJUMDAR (Deccan Sardars and Inaundars) : Will Government be pleased to state their policy as regards promoting a Sardar of one Class to a higher one ?

The Honourable Mr. J. E. B. HOTSON : Promotion in the ranks of the Sardars of the Deccan is entirely within the discretion of His Excellency the Governor.

Sardar G. N. MUJUMDAR : May I know from Government what they mean by the words "the red ink sardars of the Deccan" referred to in the Government Resolution appended to the question ?

The Honourable Mr. J. E. B. HOTSON : They are called "red ink sardars" for rank and precedence only.

Sardar G. N. MUJUMDAR : May I know the meaning of rank and precedence only ?

The Honourable Mr. J. E. B. HOTSON : I think the honourable member might refer to a dictionary.

MOULVI RAFIUDDIN AHMAD : May I know whether there is any corresponding order of the sardars recognised for Sind ?

The Honourable Mr. J. E. B. HOTSON : There is no such regular order.

Mr. G. I. PATEL : May I know how Government have classified the different classes of the sardars and their colours ?

The Honourable the PRESIDENT : Order, order.

INDIAN HISTORICAL RECORDS COMMISSION

Sardar G. N. MUJUMDAR (Deccan Sardars and Inamdars) : Will Government be pleased to state what action they have taken or intend to take with regard to Resolutions 2, 4, 5 and 6 of the Indian Historical Records Commission passed at their 7th meeting held at Poona ?

The Honourable Sir CHUNILAL V. MEHTA :

Resolution II

Government have already issued orders for the transference to the Alienation Office, Poona, of all the old records, prior to 1857, lying in the District Offices except those of Sind with a view to their better preservation and examination for purposes of classification. The old records in Sind have been collected by the Commissioner in Sind and the compilation of a handbook has been taken up.

Resolution IV

The Source Book of Maratha History which is estimated to cost about Rs. 3,000 is under preparation. The attention of the honourable member is also invited to the remarks made on Resolutions II above, and V and VI below.

Resolutions V and VI

The estimated cost of handlisting and calendaring the Peshwas' Diaries and the Poona Residency Records amounts to a sum of Rs. 14,000 approximately. Owing to financial stringency no provision has been proposed in next year's budget.

Mr. R. G. PRADHAN : Who is preparing the Source Book of Maratha History ?

The Honourable Sir CHUNILAL MEHTA : I will give the information if the honourable member gives me notice.

Sardar G. N. MUJUMDAR : Is Mr. Sardesai in charge of this book ?

The Honourable Sir CHUNILAL MEHTA : I cannot be definite, but my recollection is that Principal Rawlinson assisted by another is preparing the Source Book.

Mr. JAIRAMDAS DOULATRAM : Do Government propose to give members of this Council and all research students access to these old records ?

The Honourable Sir CHUNILAL MEHTA : I should not think there ought to be any difficulty about that, but there are rules I believe under which access is given.

Mr. JAIRAMDAS DOULATRAM : Will those rules be placed on the Council table ?

The Honourable Sir CHUNILAL MEHTA : They are generally known, but if the honourable members wish, I can have them placed on the Council table.

Mr. F. J. GINWALLA : Will Government be pleased to give this work into the hands of Indians like Mr. Sardesai, who is a great student of history, rather than into the hands of Principal Rawlinson ?

The Honourable Sir CHUNILAL MEHTA : I believe the work is already in progress and is in the hands of Indians.

**BOMBAY LEGISLATIVE COUNCIL ELECTIONS : FORFEITURE
OF DEPOSITS**

Mr. W. S. MUKADAM (Panch Mahals District) : Will Government be pleased to state the amount of deposits forfeited to Government in the last election of the Bombay Legislative Council on account of want of required number of votes ?

The Honourable Mr. J. E. B. HOTSON : Rs. 9,000.

Mr. W. S. MUKADAM : May I know what use Government is going to make of this sum ?

The Honourable Mr. J. E. B. HOTSON : It will be applied towards reduction of the taxation on the rest of the presidency.

CIVIL COURT AT KHED

Mr. B. R. NANAL (Ratnagiri District) : Will Government be pleased to state—

(a) whether they are aware of the fact that the establishment of a Civil Court at Khed (Ratnagiri District) is a great necessity ;

(b) whether proposals for the establishment of such Court have been received by Government ;

(c) if so, whether Government intend to give effect to such proposals at an early date ?

The Honourable Mr. J. E. B. HOTSON : (a) to (c) Government have considered the proposals, which were received in 1926. There is no immediate necessity for the establishment of a Civil Court at Khed.

Mr. B. R. NANAL : Is the honourable member aware that Khed is the only taluka in the Ratnagiri district which does not possess a court of its own ?

The Honourable Mr. J. E. B. HOTSON : I think the taluka ought to be congratulated on not having any need for a court.

Mr. B. R. NANAL : Is the honourable member aware that Vengurla mahal in Ratnagiri district which has only nine or ten villages subject to its jurisdiction requires and possesses a court of its own ?

The Honourable Mr. J. E. B. HOTSON : I am not aware of that fact but I can look it up if the honourable member gives me notice.

Mr. B. R. NANAL : Is it a fact that the civil work at Khed is at present divided between the Courts of Dapoli and Chiplun ?

The Honourable Mr. J. E. B. HOTSON : I can find out and inform the honourable member if he wishes to know.

Mr. B. R. NANAL : Is it not a fact that the work (judicial) is at present divided between Dapoli and Khed and as a result assistance of joint subordinate judges have been given to the courts both at Dapoli Chiplun ?

(No answer.)

POLICE DEPARTMENT ESTABLISHMENT

Mr. J. R. PATEL (Kaira District) : Will Government be pleased to state in detail the strength of the Police Department Establishment in the Kaira District as it is at present and as it was immediately before the last revision ?

The Honourable Mr. J. E. B. HOTSON : The sanctioned strength of the Kaira District Police immediately before the reorganisation effected in 1922 was :—

Inspectors ..	..	..	..	3
Sub-Inspectors ..	..	..	..	29
Head Constables ..	..	..	..	211
Constables ..	..	..	..	654

The present sanctioned strength is :—

Inspectors and Police Prosecutors (above the efficiency bar) ..	..	..	..	4
Sub-Inspectors and Police Prosecutors (below the efficiency bar) ..	..	..	..	28
Head Constables ..	..	..	..	217
Constables ..	..	..	..	780

BOMBAY LEGISLATIVE COUNCIL ELECTIONS : FIXING OF DATES

Mr. A. D. SHETH (Ahmedabad District) : Will the Government be pleased to state whether their attention has been drawn to the fact that the last Council election fell just at the time when agriculturists were very busy with their agricultural operations and in consequence the polling was very poor in many parts of Gujarat ?

The Honourable Mr. J. E. B. HOTSON : In three of the Gujarat districts more votes were polled in 1926 than in 1923 ; in one there was little difference. It was only in one district that the polling was less than in 1923 and Government have no reason to suppose that the cause was that suggested by the honourable member.

Mr. A. D. SHETH : (Inaudible).

The Honourable Mr. J. E. B. HOTSON : Very possibly.

Mr. A. D. SHETH : (Inaudible).

The Honourable Mr. J. E. B. HOTSON : The same conditions applied in other districts, but there were not the same results. There is no proof that there was any real connection between the two.

BOMBAY LEGISLATIVE COUNCIL : ELECTORAL ROLLS : PUBLICATION AT
UNDACH, TALUKA BULSAR

Mr. H. B. SHIVDASANI (Surat District): Will Government be pleased to state—

(a) whether the list of voters of the Bombay Legislative Council was published at the Chora of Undach, Taluka Bulsar, District Surat ;

(b) if the answer is in the negative, why was the list not published and who is responsible for this omission ?

The Honourable Mr. J. E. B. HOTSON : (a) Yes.

(b) Does not arise.

Mr. H. B. SHIVDASANI : What enquiries were made as regards (a) ? Were they made by the talati or patel ?

The Honourable Mr. J. E. B. HOTSON : We referred to the Returning Officer and the Returning Officer reported.

Mr. W. S. MUKADAM : Will Government be prepared to place the papers of this particular enquiry on the Council table if those papers are not confidential ?

The Honourable Mr. J. E. B. HOTSON : I will look into them and see.

IRRIGATION SCHEMES OF THE TAPTI

Mr. H. B. SHIVDASANI (Surat District): Will Government be pleased to state—

(a) Whether it is a fact that a large volume of sweet water is carried by the river Tapti into the sea ;

(b) Whether any survey has been made of possible irrigation schemes from the river Tapti in the Surat district ;

(c) If so, what is the estimated cost of each of those schemes ;

(d) What is the area irrigable under each of those schemes ;

(e) Why these schemes have not been taken in hand till now ;

(f) Whether they propose to take them in hand, and if so when ?

The Honourable Mr. COWASJI JEHangIR : The information has been called for.

FINANCIAL ADVISER TO THE MINISTERS

Mr. R. G. PRADHAN (Nasik District): Will the Senior Minister be pleased to state (a) whether the ministers have expressed a desire for the appointment of a Financial Adviser, under Devolution Rule No. 36 (2) ? (b) By whom they are at present advised in matters relating to finance ?

The Honourable DEWAN BAHADUR HARILAL D. DESAI : No. By the Secretary, Finance Department.

RETRENCHMENT OFFICER AND HIS PROPOSALS

Mr. R. G. PRADHAN (Nasik District): Will Government be pleased to state—

(a) whether they have appointed a special Retrenchment Officer ?

(b) If so, what are his duties and whether he receives any special allowance for the work ?

(c) Why he was appointed without consulting the Legislative Council ?

(d) Whether he has reported and whether copies of the report have been sent to members of the Council ?

(e) What are his proposals and whether Government have taken any action thereon ?

The Honourable Sir CHUNILAL MEHTA : Yes. Attention is invited to Government Resolution No. 4790 dated 19th May 1926, a copy of which is placed on the Council table. The officer was appointed in the ordinary course of administration to collect information for Government. His reports are coming in and are being considered. A full statement of the recommendations made and the orders of Government will be placed in due course before the Council when his work is completed.

Mr. R. G. PRADHAN : Why was the resolution which is now placed on the Council table, not sent to honourable members much earlier ?

The Honourable Sir CHUNILAL MEHTA : Nobody asked for it.

Mr. R. G. PRADHAN : Government could have done it without being asked to do so.

(No answer).

The Honourable the PRESIDENT : Order, order. Before we proceed with demands for grants, there is just one matter which has been troubling me for the last few days and about which I have privately consulted honourable members on either side. I should like to know the general feeling of the House on the question of their being photographed, because one of the press photographers is anxious for some days past to take their photo. If that is so, they may inform me whether they are agreeable ; and in that case a day and time might be fixed, otherwise he may be informed that the Council is not willing. Honourable members may inform the Secretary about tea-time of their opinion.

Mr. G. L. WINTERBOTHAM (Bombay Chamber of Commerce) : Sir, may I venture to ask if there is any chance of our reverting to the previous seating arrangements as we on this side are quite unable to hear anything ?

The Honourable the PRESIDENT : That brings me back again to the troublesome question which, as the House has decided, will be definitely set at rest when we come to the next year's session ; but before that I was approached by many honourable members, particularly by those on the far end benches with the request that some arrangements might be made to help them to hear the speakers better than they have been able to do. The present arrangement is the result of that request. If the honourable members sitting on those benches now try and find out each other's wishes in that respect, and let the Secretary of the Council

[The President]

know about it, the seats would be replaced in their original position quite as easily as they were placed in the present position.

DEMANDS FOR GRANTS

Mr. N. R. GUNJAL (Poona District) : Sir, the motion of which I have given notice is :

"Omit pay of photographers Rs. 17,268."

I move it.

Mr. J. W. SMYTH : Sir, I really am at a loss to know what the honourable member wants. The honourable member has moved that there should be a cut in the staff attached to the press. He has given absolutely no reason why he advocates this somewhat strange reduction. On Tuesday, the House agreed that the manager of the Photo Zinco Press should remain. They also expressed great satisfaction that an Indian is under training at the present moment to take over the place when the present manager vacates the office, and the proposed cut was withdrawn. But the honourable member now comes forward, and without giving any reason whatsoever proposes that the establishment, without which the manager can do no work and without which the whole work of the press will be utterly closed down, should be cut out altogether. In the absence of any reasons, I am unable to understand why this cut has been proposed.

Mr. N. R. GUNJAL : Sir, I ask for leave of the House to withdraw the motion.

Question put and leave granted.

Mr. P. R. CHIKODI (Belgaum District) : Sir, I move :

"That the item, namely, Superintendents, Rs. 30,800, be omitted."

The reason why I propose this motion is, in the first place, retrenchment. When replying to the criticism of this side of the house, while the general discussion of the budget was going on, it was stated by various members on the Treasury Bench that members on this side should point out the various ways in which omissions or reductions in the expenditure should be made. For that purpose, I have selected this item, to show how a reduction in the expenditure can be made without affecting the efficiency of the administration. The Superintendents under the Director of Land Records are men from the Provincial Service ; their pay is votable, and their reduction, therefore, does not affect the reserved departments, and the House can easily cut this item. I do not mean, by omitting this item, that these men should be sent away from the service. They can be absorbed in the cadre of District Deputy Collectors. The men who are now actually serving in these posts are District Deputy Collectors. They have been drafted to those posts from the cadre of District Deputy Collectors, and they have been drawing, in addition to their pay, a special pay of Rs. 100 a month. They are not experts : they have not got any special qualifications, and these posts are interchangeable. These persons are divisional officers, having under their jurisdiction not one district

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but 4 or 5 or 6 districts. There are 4 divisions, and these are officers under the Director of Land Records in the 4 divisions. Now, if the work which is now done by these 4 superintendents is given to the District Deputy Collectors themselves, who are sub-divisional officers—there are 2 sub-divisional officers per district—they will better supervise the work done by the subordinates such as the district inspectors or their subordinates. Therefore, there is no loss of efficiency. On the contrary, I would go further and say that better supervision can be obtained by the sub-divisional officers, the Deputy Collectors, and the Assistant Collectors who are under the Collector. Besides, there are many men who are acting as Deputy Collectors. They might be sent back to their original posts as mamlatdars. There are also many temporary posts created. I believe 10 to 12 men have been acting in the cadre of Deputy Collectors. These men could be safely sent back to their regular work, and their work distributed among the Deputy Collectors. In this way, we can save Rs. 39,000 and odd and also a good deal of travelling allowance and so forth. The amount will come to nearly Rs. 66,000 or thereabouts.

I suggest this cut on principle also. The reduction of expenditure may be done by reducing the actual strength of the staff. That is one way. The second way is the amalgamation of various departments. This department was in previous years under the Collectors and the Commissioners, and at that time everything was going on very smoothly. As the administration has been progressing, we find that every department has been trying to separate itself from the Central Department, namely, the Revenue Department, and trying to be a self-contained department by itself and increasing the staff. This is how the staff has increased. I therefore think that this item might safely go, and if the House accepts this principle, then there are other departments where similar cuts can be effected. With these words, I move that the item be omitted.

The Honourable Sir CHUNILAL MEHTA: Will the honourable member kindly explain how efficiency will not be impaired, or even be improved, by his suggestion?

Mr. P. R. CHIKODI: One way I have pointed out. Take for example the Southern Division. In the Southern Division there are 6 districts, and one Superintendent is going over those 6 districts and supervising the work of the district inspectors doing the work there. Now, if this supervising work is entrusted to the district deputy collector or the assistant collector, as was the case before these superintendents came into existence,.....

The Honourable Sir CHUNILAL METHA: When was that?

Mr. P. R. CHIKODI: The honourable member will be able to know the history of the appointments better, but if he wants it, I am willing to give details from the departmental note.

The Honourable Sir CHUNILAL MEHTA: I am only asking for information; I am not criticising the honourable member. He says

[Sir Chunilal Mehta]

this work was taken away from the Collectors, and a separate department created, when was this done? I only want to know for how many years the separate department has existed.

Mr. P. R. CHIKODI: Before the department of land records was specialised and these superintendents came into existence....

The Honourable Sir CHUNILAL MEHTA: Can it be thirty years?

Mr. P. R. CHIKODI: Not thirty years. It was not to that extent.

These superintendents were deputy collectors before. For instance Mr. Mardhekar who was deputy collector was sometime Superintendent, Land Records, in the Central Division, and he is now Collector of Ratnagiri. These men are regular deputy collectors. If one superintendent is in charge of 6 districts I do not think he will be able to discharge his duties efficiently. There are deputy collectors and collectors who tour about the districts for nearly nine months in the year. Each deputy collector has got only 4 or 5 talukas under his charge; and he will be able to discharge the duty of supervision more efficiently than the man who is in charge of 6 districts. I am confident that efficiency will not suffer in any way by this arrangement. What sort of efficiency can we expect of a man who has to supervise work in 6 districts? He has not passed any special departmental examination and has got not any special knowledge of survey and settlement. He is only an ordinary deputy collector. He can be retained there or taken away from that department and posted elsewhere. I think the efficiency will not suffer in the least by entrusting the work to deputy collectors and abolishing these superintendents. These are the reasons for which I hope the House will carry this motion.

Rao Sahab D. P. DESAI (Kaira District): Sir, in the year 1926-27 the expenditure was only Rs. 24,600 and the expenditure budgetted for 1927-28 is Rs. 39,800. I cannot understand why this expenditure has been increased, inspite of the fact that it has been stated that the post of one Imperial officer has been abolished. Perhaps this reduction of one Imperial officer has been made up by the appointment of more provincial officers. In the light of the remarks of the previous speaker, I consider that these officers are not specially qualified in the work of survey and settlement. These men belong to the cadre of deputy collectors. The deputy collectors are working under the district collectors and the supervision of land record work can be easily entrusted to them. Even mamlatdars can do this work, and I consider it will contribute more to efficiency if you have fewer establishments in future.

The principle is that in the early stages of survey and settlement work they may have found costly establishments necessary. When once the work is done they have practically little work. To supervise whether a particular plot is marked well or whether boundary mark is put up properly are details that can be left to mamlatdars. I do not consider

[Rao Saheb D. P. Desai]

that the inspectors working under the superintendents are necessary. Formerly there was only mamlatdar who used to visit villages. Now, from vaccinator upwards many officers move in villages and all these men want a lot of help from cultivators. I do not think that Government would like to increase the troubles of their cultivators due to the visits of these officers to their villages. The sooner these posts are abolished the better it will be both for the cultivators and the finances of this presidency.

Rao Bahadur S. N. ANGADI (Belgaum District): Sir, I support the motion. The most pertinent question to consider in this connection is what special qualifications these officers have. It has been pointed out by the honourable mover that these men are mere deputy collectors who are transferred to that department and who know next to nothing about the survey and settlement work. As a matter of fact it would not be very difficult to imagine that if complicated maps and other technical matters connected with the department were placed before them, these men would tremble in their pants—men who have absolutely no knowledge of the department and have no special qualifications. I do not understand how these deputy collectors are considered qualified to hold the posts of superintendents and to undertake the work of supervision not only of one district but of six districts, as has been pointed out by the honourable mover of the motion. It was clearly pointed out by him that this simple work can be done by deputy collectors working under the supervision of the district collectors. These deputy collectors, being local men, will be able to do the work of supervision better, and more efficiently. Besides that the Government want to retain these posts in order to make provision for some of their men and therefore to insist upon retaining them. I see no logic, no rhyme, no reason, for retaining these posts. Therefore I suggest that this motion ought to be gracefully accepted by Government. I do not think that Government will have the courage to say that these deputy collectors have got special qualifications and therefore they are sent to that department to give benefit of their knowledge. We are asked to show how retrenchment could be effected and the House has shown the way. I hope, Government will accept the omission, I strongly support the motion.

Mr. H. B. SHIVDASANI (Surat District): Sir, the object with which I would like to support this motion is that Government go on multiplying the number of departments. Formerly there was the Revenue Department and then the Land Records and Registration Department came into existence. I believe that this Land Record Department can easily be amalgamated with the Registration Department, and thereby several lakhs can be saved. At present there is duplication of work and I think nobody is any the wiser for it. Government must seriously consider whether it is not time to consider the number of departments that have been recently created and whether some of the departments which are now in existence cannot be amalgamated without any inconvenience. I think that the Survey and Settlement Commissioner will bear me out when I suggest that if we amalgamate the Land Record Department and

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the Registration Department we can easily make a saving of five lakhs. At the same time there will be no great loss in efficiency. I think it will be to the advantage both of the people and of Government to have as few officers as possible. With this object I support this cut and hope Government will take into consideration which departments can be abolished or can be conveniently amalgamated with other departments.

Mr. F. G. H. ANDERSON : Mr. President, I have listened with very great interest to the speeches on the proposed cut, and I think it is my duty, as having more to do with this department than any other member of this House, to bring the situation quite clearly before honourable members. We have four Superintendents of Land Records, for Sind, Gujarat, the Deccan, and the Southern Division of Konkan and the Karnatak. Now, Sir, it has been suggested that the work of these officers can be done by the ordinary deputy collectors and also that these Superintendents have no technical knowledge or skill to do the work entrusted to them. I will deal with those two points separately.

First, as to whether it would be possible to turn over their duties to the ordinary deputy collectors. I am sorry I cannot put the proposal in a more concrete or precise form : it has not been put before us otherwise than nebulously. When it was stated that the deputy collectors could take over their duties, it was forgotten that these officers are themselves part of the cadre of deputy collectors. The only intelligible meaning that I can give to the proposal is that we should ask the deputy collectors doing ordinary district work to do the work done by the Superintendent of Land Records. Let us see whether they have the time to do this work, let alone everything else. I am going to give you some idea of what the work of Superintendent of Land Records is. Let us concede that the ordinary deputy collector has got some spare time to do the work ; but how is the deputy collector going to do it ? Is it the idea that a deputy collector at Larkana would be able to do the work of land records for the whole of Sind ? That is the only intelligible meaning that I can give to this proposal. Let us examine now what the Superintendent of Land Records has to do. You must remember—it is not known to any of the members of the presidency proper, but it ought to be well known to members from Sind—that in Sind the whole of the survey records from Jacobabad to the sea are concentrated in one single office in Hyderabad. Sometimes people have proposed that one way of economising is to concentrate the whole of the land records work in the Deccan in one place, but owing to practical difficulties, one of which is that the charges are large, and the bulk of records is very great, it has not been done. That concentration in Sind has tended to economy : but for it larger expenditure will have to be incurred. As there is an office only in Hyderabad where all the land records work is concentrated, let us see whether the ordinary deputy collector at Hyderabad can do the work. I shall show you presently that it is not possible. In that office is concentrated the result of thousands of rupees of expenditure. We started our survey operations somewhere in 1840, and during the first 30 years the first round of survey was completed. After the first round of

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survey there was a revision survey ; both these surveys were carried out at enormous expenditure. I have not the exact figures, I did not bring them with me ; but they could be obtained ; but I am sure that fully a crore of rupees was spent in making those survey records. Now, every person in Sind who owns land has an enormous interest in the preservation of those records. Supposing an owner wants to sell or mortgage or to recover land encroached upon, how can he file a suit or frame a document unless he has the survey number, the area, the extent and the position of the land ? Survey records are the foundation of all civil justice relating to land. You cannot exercise your private rights over any land unless you have a survey record of that land to protect you. Those records are highly technical. Lands have been very accurately surveyed, and the records are concentrated in Hyderabad. Then, every day we get references from all over Sind asking for some extract from those records for the purpose of protecting the rights of landowners. Very well ; now, if we have not the Superintendent of Land Records for that duty, we shall want one more officer in the district ; that is, somebody else must do it. We must have an officer who knows what he is about. Those who have to do with the work of land acquisition for the Sukkur Barrage works will be able to tell you that without those land records constantly used by hundreds of people, it would be quite impossible to proceed with the work of acquiring land justly and accurately. Now, this Superintendent has to go on tour all round, and he has to have an exceptional knowledge of the survey in all its transactions. I am satisfied having many times been in Hyderabad, that the work requires a specially trained officer. It would be quite impossible to dispense with that officer and entrust the work to the deputy collectors in Sind. Any person who has not had a long training would find it impossible to do the work. The ordinary person going into the record room there would not find it possible to dispose of a single case.

Now, it has been urged that these Superintendents of Land Records have no particular training or skill in doing the work. When an officer is appointed, for the first six months or a year he has to learn the work, but after that he gradually becomes more and more thoroughly acquainted with it. The present Superintendent at Hyderabad, so far as I can recollect, has been there for six or seven years ; the Superintendent of the Northern Division has been there even longer, and Mr. Mardhekar, the Superintendent of the Southern Division, is a very senior deputy collector and has frequently filled the most of collector also.

Mr. P. R. CHIKODI : Will the honourable member explain whether the Superintendents have got to qualify themselves for the post which they hold ? What examination or test they have to undergo ?

Mr. F. G. H. ANDERSON : It is not a question of passing an examination. We have to select the man who appears to be most capable. When that man is appointed he has to learn and having learnt carries on the work for a prolonged period. What other method can you have ? It is of course inevitable that we have to train all our officers, surveyors

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and district inspectors and superintendents, and having trained them they become very indispensable. Now, my point was this. It is not possible to dispense with the officers who have got more than six years' experience and replace them all by novices. Besides, the collectors cannot cope with this work, as they have to attend to their own work which is quite sufficient. When we come to the Central and Southern Divisions, you will find that there the records are not concentrated, because the records are more voluminous than those in Gujarat. There we have kept them in each district in charge of the district inspectors and the supervising and superintending officers have to attend to a large number of questions of coordination and administration and it is quite impossible for us to dispense with these officers. It may be argued that it is possible to give one officer of the rank and attainments of a deputy collector to each district and thus effect saving. But that will cost as much as our present arrangement, and there will be no saving at all. Besides we cannot leave the whole responsibility to a single officer of mamlatdar's grade. We should have anyhow to increase the number of deputy collectors. We will have to pay six deputy collectors instead of one deputy collector and six mamlatdars to manage the work of the department. So, there cannot be any economy in the proposal.

Now, it has been said that this is the creation of a new department. But I may assure this House that there is no new department at all. The survey work was carried out for each division, Deccan, Gujarat, Konkan and Sind for at least 60 years.

While the survey was going on and was incomplete each section Deccan, Konkan, Gujarat, etc., had its Superintendent of Survey. These gentlemen supervised the survey work and also gradually accumulated the records which now form the backbone of our Land Records. Their pay was substantially more than that of deputy collectors. But this came to an end about 1893 when the original and revision surveys had been practically all complete. The Survey Department was wound up and from the condition of preparing records we passed to the condition of maintaining and keeping them up to date. Then it was that the post of Superintendents of Land Records were first created. There has been no creation of any new department as honourable members think. But it is only a reduced form of a much older department.

With reference to the questions raised by the honourable member, Rao Saheb Dadubhai Desai, I would explain that the appreciation of the public for the Superintendents of Land Records is shown by the fact that we frequently receive applications from land owners who are quite prepared to pay substantial deposits of Rs. 50 or so in order to obtain their opinion and judgment in appeals in respect of some encroachments on their lands. Further as to the surveyors who are constantly going about it is entirely untrue that no survey is made by them and that no attention is paid to applications. Their time and work is fully mapped out and utilized.

My honourable friend Mr. Shivdasani, asked us why we should not amalgamate the Land Records and Registration Departments. I may

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tell him that there was a time when the Superintendent of Land Records was also the Superintendent of Registration, but as it was then found impossible for one superintendent to manage the two departments, they were separated. If registration comes back now under the wings of the department of land records,—I have proposed it myself—it is a different matter. But that is quite an irrelevant question at present and it is doubtful whether we should discuss it now. If it is feasible and would be of value, then you will certainly want a divisional superintendent who will have more work and responsibility than he has at present; just one degree more. The way to that reform does not lie through the abolition of superintendents. Consequently, I must say that if we abolish the superintendents of land records, that is to say, four deputy collectors, the machinery of the department must absolutely fail. Especially in Sind and Gujarat, it is quite impossible, and in the other divisions it would be only possible by raising the status of the inspectors to that of district deputy collectors and posting men of greater responsibility and higher grade. I therefore think that the motion must be thrown out.

Khan Bahadur S. N. BHUTTO (Larkana District): Sir, I had no mind to speak on this question to-day. But after the speech of my honourable friend the Settlement Commissioner, I think it is absolutely necessary that some light should be thrown on the question, because we have to decide the point carefully. Perhaps the Council might feel that without this officer the whole survey system in Sind will come to an end and some disaster may fall upon the Agriculturists in the province of Sind. Well, I am quite indifferent so far as the posts of Superintendents of Land Records are concerned whether they are done away with or retained. But the fact is, Sir, that there is not so much work in Sind for the Superintendent, Land Records, as has been improvised by my honourable friend the previous speaker. It is quite possible to make out a case and make a long speech in the Council hall particularly by the official benches. But when we come to consider the question seriously, really the facts are quite contrary.

Now, I do not understand exactly what this work of survey has to do with the question of revision of settlement and land records. The land record is maintained by revenue department at only headquarter of a taluka and revision of settlement is done by a special officers appointed by the Government for this purpose. The duty of the land record officer so far as agriculturists are concerned, is only restricted to the preservation of original survey record on occasions references are made when there is dispute on boundary limits. Why Government has centralised the head office at Hyderabad? Why not have an office attached to every collectorate in charge of a clerk drawing pay, say Rs. 50 per month. All the papers concerning that particular district should be maintained under the control of that clerk at the district headquarters. Now, this work could be done by any officer, not necessarily of the grade of deputy collector or mamlatdar. So, I think if this office is not centralised at Hyderabad so far as Sind is concerned, the necessity will altogether

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disappear. The necessary survey can be carried out by an establishment under the supervision of taluka local officials. I therefore feel it my duty to lay the facts before the Council.

Mr. MIR MAHOMED BALOCH SHAIKH (Karachi City) (Addressed the House in Urdu): Sir, if Government desire economy sincerely, they can effect retrenchment in many departments. But the members of Government are very clever in preparing budget estimates and in framing replies. The post of Superintendents of Land Records are an unnecessary burden on the taxpayer, as most of the work is done by their subordinates. These posts therefore should be abolished, and if that is done, there will be a great saving.

Mr. NOOR MAHOMED (Hyderabad District): Sir, I find that the honourable member the Revenue Secretary is preparing some notes with a view to make some reply on this subject. But before he does that, I would like to point out that in Sind on account of the barrage survey, the survey of nearly three-fourths of the total area is stopped. There is, therefore, survey work only in some portions of the Karachi district. But there also the actual work is not going on at present. I understand the superintendent of Sind survey is both the superintendent of land records and of survey. Now, Sir, on account of the barrage, this officer has got absolutely no work so far as the barrage is concerned. The survey is going on only in some small towns like Tando Adam, and one or two other portions of Karachi proper. All survey work inside small towns is stopped. If this post of superintendent is going to be maintained then, as I said before, there will be no work in Karachi district. Now, Sir, what has been done? Instead of utilising this officer for survey work of the barrage, there is an additional officer independent of the superintendent who has been employed with a huge establishment, and that establishment and this officer of the barrage are costing Government not less than Rs. 50,000 a year. He is paid travelling allowance, this allowance and that allowance, altogether the cost goes up to Rs. 50,000. Therefore, I suggest that the Government should do away with the superintendent of Sind Survey or give him the work of the barrage survey; so that the new officer at the cost of the taxpayer's money may cease to exist.

The honourable member Mr. Anderson made much of the work of record keeping. Perhaps he forgot at the moment that we have got a head record-keeper at Hyderabad of the grade of a Mukhtyarkar (Mamlatdar as in the presidency proper). That being so, why should we maintain an office of the position of Superintendent of Land Records, just to initial what the head record-keeper is already doing? We have got a responsible officer who is the head record-keeper at Hyderabad, and yet why should we continue to pay such a high salary to a Superintendent of Land Records? I wanted to bring this matter to the notice of a Member of the Executive Council, but I brought it to the notice of the wrong man and therefore, when this discussion started, I said you must either do away with the barrage survey officer or do away with

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this officer and that curtailment should come from one or the other direction.

Dr. B. R. AMBEDKAR : Sir, I do not think that much argument need be wasted on this motion. The motion is based upon the ground that these superintendents who are provided in the budget at a cost of Rs. 35,800 do work which ordinarily in the course of things can be done and discharged by the deputy collectors. The only answer to this argument is that the deputy collectors are not in a position to do this work. The reply given by the honourable member, the Settlement Commissioner, does not seem to me to touch on that aspect of the question. Nobody here in this House disputes that the work done by them is useful work necessary in the interest of society, but, Sir, the point and the important point is whether such work cannot be done by deputy collectors. If the reply to that is in the affirmative, then Government has no case at all, and I should like Government to clear that point in order to enable new members like me to decide one way or the other.

The Honourable Sir CHUNILAL MEHTA : May I say one word about this question, Sir ? I am now speaking entirely in my position as Finance Member and not as an ex-Revenue Member. As Revenue Member, I went into the qualifications.....

An Honourable MEMBER : What are those qualifications ?

The Honourable Sir CHUNILAL MEHTA : I will tell the House all about it presently.

I was saying, Sir, that as Revenue Member I examined the qualifications that were required for a Superintendent of Land Records. I found that the superintendents occupying the posts were mostly elderly persons. I further found that if work was to be satisfactorily done, a considerable amount of travelling in the fields was necessary. I desired therefore to train young men to take up this work and I chose Mr. Modak, who was particularly referred to by the honourable mover of this motion, after personal interview. However, now speaking as Finance Member, I find that honourable members here are of opinion that while this work is important and necessary, it could be done by the ordinary prant officer. That is I understood the whole case. I do not know whether the honourable members who are making this suggestion have personal experience of the work both classes of these officers are doing. I can best speak from the report of the Retrenchment Committee. That report has been quoted very often against Government ; it may occasionally be quoted in favour of Government. The Report of the Retrenchment Committee is as follows ?

Rao Bahadur S. N. ANGADI : What does the Honourable the Finance Member mean by " personal experience " ?

The Honourable Sir CHUNILAL MEHTA : Personal experience of the work of these officers. I will explain more fully shortly, but let me go on for the moment. The Retrenchment Committee, when speaking of the Land Revenue Department, does not refer at all to these

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Superintendents of Land Records. The honourable mover no doubt is aware of that fact.....

Mr. B. G. PAHALAJANI: He himself was a member of the Retrenchment Committee.

The Honourable Sir CHUNILAL MEHTA: I thank the honourable member from Sukkur for the suggestion, that the honourable mover himself was a member of the Retrenchment Committee.

Mr. P. R. CHIKODI: Let me say that I had written a minute of dissent, and that the report is not complete because it does not contain it.

The Honourable Sir CHUNILAL MEHTA: It is not in this book; the minute of dissent came after the report was published. However, I do not recollect that any member of the committee, including the honourable mover, made a suggestion that these officers should be abolished. They make no reference whatever to the Superintendents of Land Records and all they talk about in relation to this work are the district inspectors of land records. The paragraph with regard to these officers runs as under—

“ We propose the abolition of these officers and reversion to the system which was in existence some 18 years ago when the general duty clerk exercised supervision over the special measuring staff. The agricultural statistics might well be collected and compiled by the officers of the Agricultural Department in each district. ”

They refer only to the work of the district inspectors of land records and make no allusion to Superintendents of Land Records.

Rao Bahadur S. N. ANGADI: Does it mean that if the suggestion had been made by the Retrenchment Committee that Government would have accepted it immediately ?

The Honourable Sir CHUNILAL MEHTA: After the honourable member hears me out, I shall be only too pleased to answer any question that is put to me. The suggestion was that the prant officers should do this work. This is what the committee said with regard to the prant officers :—

“ We are not disposed to accept the view that the prant officer is merely a post-box as is sometimes alleged. We have ascertained that he does a large amount of work in original and revenue matters. There seems to be a division rather than a duplication of work between the prant officer and the Collector. The prant officer therefore could not be dispensed without throwing a large amount of original work on the Collector and appellate work on the Commissioner or Government. At the same time we consider that more powers might be delegated from the prant to the mamlatdar, in particular the following :—

Permission to remove earth, stone, muram, etc., in gairan survey numbers.
Encroachment cases, ” etc. etc.

I have read out the whole portion in order to show how carefully this committee went into the duties of a prant officer and that nowhere is there a suggestion that the prant officer can underake in addition the duties of the Superintendent of Land Records.

I understand, Sir, that if the British Government had done anything for the benefit of the people of this country, one of their greatest claims to gratitude is the manner in which they have systematised the keeping of land records and the perfection to which they have taken it. On the

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other hand, I am quite willing that this particular question should be considered in detail from the point of view of economy. Sir, it is impossible to give honourable members full particulars in a matter like this where details of work are involved across the table in a speech. I thought that the Settlement Commissioner made a very excellent speech and yet there were several points that were left off and several which could not be followed by all the honourable members. If it will suit the convenience of honourable members, the suggestion I am inclined to make is this, that this item be allowed to remain for the present; that in the meantime such honourable members, two or three, those specially concerned with cultivators who are interested in this matter, form themselves into a committee and examine this matter with the Honourable the Revenue Member as well as with the Retrenchment Officer. We shall then get at the exact value of these officers and see whether we are getting value for the money that we are spending. No Imperial officers are involved. There are no officers for whom, as some honourable member suggested, Government wish to make any special provision.

Mr. H. B. SHIVDASANI : What about amalgamation ?

The Honourable Sir CHUNILAL MEHTA : The Commissioner of Settlements will of course help the Honourable the Revenue Member when this matter is discussed. If the House approves of this suggestion, we shall have the whole question thoroughly threshed out. We shall know whether it is possible to save money, and I can assure honourable members that nobody will be more pleased than myself if, with due regard not, I say, only to the absolute efficiency of the work done by these officers, but with due regard to the interests of the cultivators, who would otherwise have to go to law and waste their money in litigation, these officers could be cut out or reduced. Government would discuss with the informal Committee the suggestion made, and if the decision Government arrive at after that is not satisfactory, next year the Council can cut it out. I think this ought to afford a solution of this question.

Mr. N. A. BECHAR : Who are to be the members of the committee ? If they are named now, and the whole thing is settled, we shall have the satisfaction of having run the gauntlet successfully. Otherwise nothing further may be done.

The Honourable Sir CHUNILAL MEHTA : I did not wish to do so much discredit to the honourable members opposite as to suggest that they did not have enthusiasm enough to pursue this matter further. I am sure they will pursue it to the end. But if they desire me to mention any names of members, I shall have no objection. Any two or three gentlemen, along with the Honourable the Revenue Member, the Settlement Commissioner and the Retrenchment Officer could thrash this matter out in detail.

Mr. B. G. PAHAIAJANI (Western Sind) : Sir, I thought the retention of this item was a matter in which there should not have been two opinions so far as Sind is concerned. I am speaking from experience, and I regret

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that I have to differ from many of my honourable friends from the South in a matter in which the question of property is involved from day to day. So far as Sind is concerned, it is only a question of one-fourth of the expenditure—Rs. 6,000 per year or Rs. 500 a month—which is required for the performance of this duty in the whole Province of Sind. Sind is more or less an agricultural country, and it is divided into thousands of survey numbers. I believe there are 2,000 to 3,000 survey numbers in each taluka, and each district has 10 talukas, and the work that is necessary to keep upto date the survey numbers held by each man in the country and their extent is a matter that requires serious consideration, when the officers that are responsible for doing it are sought to be eliminated.

I say it is entirely for the Government to decide whether they should put at the head of the Land Records office that has over 2,00,000 of survey numbers to deal with a man of the mamlatdar's grade, to take care of those records, to take care of the divisions and sub-divisions and to take care of the books of immense value, namely, the field books. It is entirely for them to decide whether even a supervising tapedar should not do the work of keeping under hand over 2,00,000 of these survey numbers. The responsibility for that is on the head of the Government. If they decide that a mukhtiar kar has to do this work, or can do it, or should do it, the responsibility for that is on the Government. If they think that a responsible officer of the Deputy Collector's grade, especially trained in these matters, should do the work, then I think the Government would be failing in their duty if they appoint an officer of a grade less than that of a Deputy Collector. Now, it is not so easy to imagine what are the duties of a Superintendent of Land Records. In the days of Mr. Seymour, who was in charge of this department, he used to do the survey work and he used to do the land record work. The office was then centralised at Hyderabad, where the results of those surveys are concentrated. If Sind owes any portion of the stability of its survey to anybody, it is to the endeavours of this very popular officer, Mr. Seymour. Soon after that, the appointment was held by an Imperial Service officer till recently. Government then thought of taking away the Imperial Service officer and especially training Deputy Collectors to hold the appointment. This officer not only does the work of keeping the records, he not only does the work of dividing and sub-dividing the survey numbers, he not only does every year the work of checking a certain percentage of the survey numbers, he not only keeps the field books which are often useful to the municipalities and local boards to fight the Government in regard to their vagaries so far as encroachments are concerned, but what is more, the Land Records office is a training ground for the mukhtiar kars and for the village establishment who are required to go every year for about 42 days to learn the work there. The different duties that these Superintendents have to do have been summed up by the Settlement Commissioner, and so far as Sind is concerned, the Land Records Officer is the repository of all the information not only with regard to agricultural areas, but with regard to city surveys of the different municipi-

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palities, including Karachi. I think, Sir, the duties that devolve upon him are too important to be treated with the scant courtesy that even the Honourable the Finance Member has to-day shown to it. I am sure that if the Honourable the Finance Member had realised the importance of the preservation, the regulation, the successful keeping and control and checking of the title-deeds of the survey numbers, he would not have treated the matter as one in which the Government can easily interfere and reduce the establishment. It is entirely for them to do so, but so far as Sind is concerned, I am prepared to speak with some authority that it is a matter which the Government should not trifle with. It is a matter which the Government has to see more efficiently kept up, and the more efficient it is, the greater will be its service to the people, especially the cultivators. You may remember, Sir, that in Sind in each taluka there are 2,000 to 3,000 survey numbers and each district has 20,000 to 30,000 survey numbers. In the whole of Sind there are over 2,00,000 of survey numbers, apart from the city survey numbers which are considerable. If all this record does not require proper control, then I do not know what, in their opinion, does require proper control.

Mr. G. I. PATEL (Ahmedabad Millowners' Association): Sir, I am glad the Honourable the Leader of the House is trying to find out a *via media* to settle this question amicably. But, at the same time, I am constrained to invite his attention to the number of motions for omission and reduction which the agenda paper contains in regard to the head of Land Revenue. He will see that the number is 59. Sir, some of us do think that instead of having these suggestions from the Honourable the Leader of the House with regard to these small items, if we have some indication from him regarding the bigger items, the whole discussion may be curtailed, and we would allow Government to choose their own methods of selecting separate heads and allocating small cuts to them, so that they may satisfy us that the total amount of retrenchment for the whole department is fair. In the present instance at least we are prepared to do away with this sum of Rs. 39,800, because we are not sure that other cuts in this department are likely to be carried. Instead of judging the question only on its merits, perhaps we may be guided to support this motion. I would therefore again request the Honourable the Leader of the House to let us know his mind very clearly in the matter of reducing the expenditure in this department. That is my simple request to him. That would give us an opportunity to decide whether this question should be decided only on its merits or otherwise.

Mr. P. R. CHIKODI (Belgaum District): Sir, I think that much trouble has been saved because considerable amount of opinion seems to favour the view which I have put forward. I am sorry that the honourable member the Director of Land Records has failed to convince me of the necessity of retaining these officers. He spoke a good deal about the conditions in Sind. I am sorry I do not personally know Sind myself and therefore am not able to follow all the arguments advanced,

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However a large body of honourable members from Sind gave him a fitting reply in my opinion.

The Director of Land Records has stated what examinations they should pass. In every department, for instance in the Revenue Department and the Registration Department, there are departmental examinations which officers have to pass. This being a special department there is not any special test by which the fitness of an officer is determined. I wish to ask the Director of Land Records whether senior mamlatdars have not acted in these posts. Before Mr. Mardhekar a senior district inspector had acted there a few days ago. If these posts can be held by senior mamlatdars and senior district inspectors I fail to see why men only specially selected should be appointed to these posts. The Honourable the Leader of the House stated that he went into a certain thing personally and selected a particular officer for that post. That may be an exception. Generally we find that these posts are meant as only a stop-gap arrangement.

Now, another suggestion was made that this will be no economy at all, because six deputy collectors will have to be appointed in the place of one superintendent. When I suggested the abolition of superintendent, I never meant that 6 deputy collectors should be appointed in his place. I suggested no such thing. I specially said that the three or two deputy collectors and one assistant collector who will be an imperial service man can be entrusted with this work in each district. They have each under their charge four or five talukas and in some places even three and they are actually examining the land records in each village. Will the Director of Land Records contradict my statement? As soon as the deputy collector visits a village he sends for the record of rights, initials it and then goes from there. The deputy collector is required to do the same thing and the collector the same thing. When it is the fact what is the use of saying that they are specially trained deputy collectors and they are necessary. I do not know whether they are tried men. Irrespective of that I say that they are not trained; but at the same time they are deputy collectors and they can do these duties. My suggestion was that these deputy collectors who were acting in these posts could be made to revert to their posts and the mamlatdars who were acting as deputy collectors could be reverted to their posts. If you consult the Civil List you will find that 8 or 9 mamlatdars are acting as deputy collectors. They might be reverted to their posts and the deputy collectors might also be reverted in the same way.

The Honourable the Leader of the House referred to the Retrenchment Committee Report and stated that no mention was made therein in connection with this question. Fortunately or unfortunately I was a member of that committee and therein I have raised this point. Unfortunately the honourable member sent for the report and cursorily went through the pages. I shall show that mention has been made therein. I am going to read out that portion to him. The majority of the committee suggested a way and I had suggested a different way. All the same reference has been made to this department. Another

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thing I wish to point out is that at that time the superintendents were Indian Civil Service men whose posts we were not allowed to touch. We received an instruction to that effect and I hope my honourable friend Mr. Pahalajani will bear me out. Therefore it was not possible to make specific a recommendation with regard to superintendents. The redistribution of the work of this department has been referred to.

The Honourable Sir CHUNILAL MEHTA : May I know from the honourable member whether at the time when the committee was considering the whole question of retrenchment all the superintendents of land records were Indian Civil Service men or provincial men who could be touched.

Mr. B. G. PAHALAJANI : All of them were provincial service men.

Mr. P. R. CHIKODI : Unless I see I cannot say. The report says :

"The interposition of the Secretariat in this case seems to be necessitated only by the territorial jurisdiction which Commissioners have hitherto possessed, in consequence of which no one officer exists who can represent to Government the subject as a whole. This difficulty can however be surmounted by redistributing work among the Commissioners on a subject basis, a course which we think has much to recommend it even on other grounds. Such a redistribution would render it possible to group the Commissioners at the headquarters of Government where they could work directly as Secretaries to Government for the several subjects allotted to them. We will not here attempt to lay down precisely the manner in which we think.....".

The Honourable the PRESIDENT : Where is the reference he wants to rely on ?

Mr. P. R. CHIKODI : I am reading the portion relating to the redistribution of work.

The Honourable Mr. J. L. RIEU : May I ask what relevancy it has ?

The Honourable the PRESIDENT : What is the honourable member reading from ?

Mr. P. R. CHIKODI : I am reading from page 19 of the Retrenchment Committee's report.

The Honourable the PRESIDENT : Please come to the reference you wish to rely on.

Mr. P. R. CHIKODI : That is exactly the portion which I rely on. It relates to the re-distribution of work. While the committee suggested a way I suggest a different way in the minute of dissent I appended to it. Here there is a direct reference to it :

"Somewhat similar considerations apply to the other non-professional departments in which the Head of the Department is not himself a departmental officer. In such cases we can see no valid reason for a distinction between the executive and the administrative authority, since non-departmental Heads can be trusted not to take too departmental a view. The officers to whom these remarks apply are the Commissioner of Customs, Salt and Excise, the Settlement Commissioner and Director of Land Records who is also Inspector General of Registration and the Registrar of Co-operative Societies."

Therefore, Sir, we have not been convinced at all about the reasons why these officers should be retained. Government have not stated that they are specially trained officers without whom the department would not go on. Let them for the sake of experiment at least transfer these officers to the Revenue Department proper; they need not be sent away

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or their services dispensed with. Let us see how the department works then. I do not say that we do not want these officers ; I am not asking for their dismissal. It is mere re-distribution of work. If that is done, we shall be able to find out avenues of retrenchment.

I do not understand the point made by the Honourable the Leader of the House. He suggested that a committee might be appointed or suggested by the Council, who might go into details. So far as I am concerned, I have no objection to go into details with the help of a committee, but I leave the matter entirely to the House. If the House is not in a mood to accept the suggestion of the Leader of the House, I think I must press the point and ask the House to drop the item. That is the suggestion which I have to make, and I leave it to the House.

The Honourable Mr. J. L. RIEU : Does the honourable member accept the suggestion that has been made by the Honourable the Leader of the House ?

Mr. P. R. CHIKODI : I have left it to the House ; if the House accepts, I am agreeable. (*After a pause*) All right ; I accept, and I withdraw the motion.

The Honourable the PRESIDENT : I should like to know what the suggestion is definitely.

The Honourable Sir CHUNILAL MEHTA : Sir, the suggestion is that some three members of the Legislative Council.....

The Honourable the PRESIDENT : I think it will be better if you make a definite proposal.

The Honourable Sir CHUNILAL MEHTA : I cannot make a proposal ; it is impossible to make a proposal. Some three members of the Legislative Council will meet the Honourable the Revenue Member who will be assisted by the Retrenchment Officer and the Settlement Commissioner, and they will discuss the matter in detail on any days convenient to them. Any three members of the Legislative Council ; I do not know whether I should have the liberty of suggesting the names, but I should have thought that perhaps the honourable the mover, Mr. Pahalajani, and Rao Bahadur Kale, or anybody else or even one member more might meet the Honourable the Revenue Member.

Mr. K. S. FIRODEA : Is there going to be an informal meeting or a committee appointed by this House to go into the question ?

The Honourable Sir CHUNILAL MEHTA : We are not appointing any committee ; it will be an informal meeting. The House will still have the right to throw out this item next year ; this item will remain in the budget this year.

Dr. M. K. DIXIT : In the event of the non-official members disagreeing with the official members, what are you going to do ?

The Honourable Sir CHUNILAL MEHTA : When I made the proposal that the committee would meet during the course of the year, I had in mind that Government would come to a decision after discussion with the committee, and if the House found that there was disagreement or if the

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House was not satisfied with the decision of Government, the House could throw out the item next year.

The Honourable the PRESIDENT : There is no specific resolution or motion which I can place before the House. The House has heard the suggestion made by the Honourable the Leader of the House. It is for the honourable mover now either to withdraw or press it to a division. Is he ready to withdraw his motion on the terms the Honourable the Leader of the House has explained ?

Mr. F. J. GINWALA : May I suggest now.....

The Honourable the PRESIDENT : There is no suggestion I can listen to now : enough has been said on either side ; the suggestion made is perfectly clear.

Mr. P. R. CHIKODI : I am not going to withdraw.

The Honourable Mr. J. L. RIEU : Mr. President, the question before the House is whether or not it is possible for the prant officers, whether Deputy or Assistant Collectors, to carry out the duties which are now assigned to Superintendents of Land Records. You have heard on this subject the Commissioner of Settlements who has given a very detailed statement of the duties which are performed by these officers. At the same time, most of the members of this House have presumably no personal knowledge of the work done by these officers, and I submit that it is very difficult to carry on a discussion of a question concerning the details of administration when so many of the members of this House are unacquainted with the true facts of the case. I feel therefore that I am under a difficulty in trying to convey to them a real idea of the necessity of the demand and in putting before them the true aspects of the question. It is therefore that I am prepared to acquiesce in the Honourable the Finance Member's suggestion that there should be an informal discussion between myself assisted by the Commissioner of Settlements and the Retrenchment Officer on the one side, and those members of the house who have studied this particular question on the other. I feel that in view of this offer of a full and frank discussion of the question with members of the House who are interested in it, the House will be well advised to accept the offer that has been made on the part of Government, and I hope that they will throw out for the present the motion to omit this particular demand. I repeat to honourable members of this House that I am perfectly prepared to consider the whole question and discuss it with those members who may be selected for the purpose, and give it the most careful consideration. With these words I leave the matter to the House.

The Honourable the PRESIDENT : I will not put the motion.

Mr. N. A. BECHAR : Sir.....

The Honourable the PRESIDENT : No more arguing. When the President stands to put the motion, no honourable member will stand.

Mr. P. R. CHIKODI : Am I allowed to withdraw after hearing the explanation of the Honourable the Revenue Member ?

The Honourable the PRESIDENT: Yes.

Mr. P. R. CHIKODI: I beg leave to withdraw the motion.

Question put and leave granted.

(*After recess*)

Rao Saheb D. P. DESAI: I move:

"Omit District Inspectors—Rs. 64,680."

Many of these district inspectors are attached to the Revenue Department, and it is my experience, Sir, that there is not much work for these officers, as those who are not fit to be mamlatdars are shunted off to this line. That in itself is a sufficient commentary on or the necessity for this expenditure. The arguments that were advanced in the case of Superintendents hold good in the case of district inspectors. These district inspectors always work under those Superintendents and examine what mamlatdars also examine. So, over and above the arguments that are advanced in the case of Superintendents, I may state that this work can very well be done by mamlatdars, and so these officers should be done away with.

Question proposed.

Mr. F. G. H. ANDERSON: Mr. President, quite a short time ago we were discussing the abolition of the posts of Superintendents; and now the question before this Council is about the district inspectors. If we do away first with Superintendents and then these district inspectors, there would be nothing left in the department at all, and it is obvious that such a motion cannot be taken very seriously. The suggestion that the work of district inspectors can be done by the mamlatdars of each taluka assumes that mamlatdars have got certain amount of spare time and certain amount of spare energy which they do not have to devote to any work at all. But I can assure this Council that that is not at all true. Let me not be misunderstood. I think there is no part of the Government machine which works harder than the mamlatdars. If we have any complaint to make against mamlatdars in my department, it is that they do not have the time and are so occupied with other matters that they are not able to pay quite sufficient attention even to their own share of the supervision of the Land Records and the Record of Rights. Their duties are quite separate from those of my department, though when we get the opportunity we some times help them in their own duties. The mamlatdars would certainly not be able to do the work done by the district inspectors. A district inspector has to be trained. I was just now accused of not having special qualifying tests for Superintendents, the reason being that as a general rule they have been trained in other ways. But for district inspectors we do have a training. We have a test, a qualifying examination, and every one of them has to be skilled in survey and in all the details of survey and land records work before we appoint him to a district. Not only does he examine the work of the circle inspectors, who are entirely subordinate to the mamlatdars; but each district inspector has something like a dozen or more surveyors, usually at least one for each taluka called cadastral surveyors, sometimes

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they are called circle inspectors, who go about and do all the survey work. In this it is not we who interfere with the rayots and harass them without invitation. It is the public who are constantly applying to have all sorts of surveys. If we had not land records, what should we have to do ? There will be nothing left. We would have to fold our hands and say "We are very sorry ; we have no maps, and we cannot help you in any way." If you do not agree to give us this staff, there are only two ways in which such matters can be arranged. Either the rival claimants must break one another's heads ; or must go to the civil court and get their dispute settled. And then Government must stand aside and leave the public to settle all these land disputes without help from the land records. But you see the great benefits we are able to confer on every holder, whether it be of agricultural land in the country or whether it be of certain land in the cities. We must have these records, and whenever these questions arise, if we have accurately and carefully kept the records and maintained them well, we can refer to them, and with the assistance of the law, matters can be settled. Before the completion of these records, litigation formerly was very frequent one man saying "I am in possession of this land, it is not yours" or "the boundary should be where I say it should be, not where you say it should be", and so on. It is now very rare that such cases occur, and when they do occur, we receive a request for survey and investigation. All persons who own lands realise the importance and necessity of the records. Whenever there are any encroachments upon their land or whenever while they are minors or unable to watch over their rights, other people sometimes take advantage and encroach upon their lands, then their first step is to go to the district inspector and say "Please give me a copy of the land records", and the district inspector knows exactly where the land is, whom it belongs to, and he is able to say exactly what has taken place. That is why we have cadastral surveys, which are of the greatest value to the public ; and fees are paid by the public who ask for their help in order to get their dispute settled. It is far cheaper than litigation in the civil courts to get a cadastral surveyor to come down. I think you must agree with me that it is impossible that we should not have in each district one officer trained in survey competent to look after everything, to see that everything is correctly done and the results of all changes are incorporated correctly. If we could not supply any trained men, or could refer the matter to men who have lots of other work to do and who, whenever survey work is to be done, are busy with criminal cases and who may have to say "We cannot do it this year, come again next year", you can appreciate what the position would be. I submit, as long as we have got a system of land records, it is most essential to have these superintendents and district inspectors in order to give the service which I have described to the public. You could, under no circumstances, dispense with this district officer in each district, who is able to direct and supervise the work of his subordinate officers and to see by tests that the work is correctly done. The public would not tolerate it for a moment. If you turn out these district inspectors, the people will say : "There is no officer in

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the district to whom we can appeal. What have you done ? " Some people say they have no confidence at all in the circle inspectors and surveyors. They may be right or they may be wrong. I think they are often wrong. Often people complain wrongly against these surveyors, though they have done their work quite well. But you cannot dispense with one officer for each district to supervise test and hear all appeals. The public will not tolerate any such thing ; and it would be well if their representatives were to consult their wishes.

A lot has been said this afternoon about " maintaining " land records, and some remarks have fallen from honourable members, which suggest that once these land records have been collected and books prepared, all we have to do is to appoint an officer to take charge of and keep all the records locked up : just to store them and keep them clean. If this was so all the work the superintendents have to do, the district inspectors have to do, and the circle inspectors have to do, can be done by even a patta-walla ; I know several such who could do that work quite nicely. But that is not what they have to do. There are millions of parcels of land in our records and all the changes have to be kept correctly up to date. We have in the presidency something like 15 million plots of land, 150 lakhs. One honourable member from Sind said, I believe, they have 2 lakhs of survey numbers in Sind. I think they have rather more than that. In the presidency alone, taking all the sub-divisions (and the city surveyed plots which have to be looked after in the cities), I should say there are not less than 15 million holdings.

Well, that being so at any one time we have something like half a lakh of mutations,—changes in hand to be dealt with, pieces of land washed away by diluvial, pieces of land acquired. Look at the quantity of lands required for district local board roads, wells, dharniashalas, schools, and so forth. Every such acquisition, every change, every partition of land, must be incorporated in the land records. I have known cases in which you will find—in the Thana district, for instance, near Bombay, where owing to the operations of the Development Department, changes went on so rapidly that the land records officer was not able to cope with it. Unfortunately, I had to look into that, and I found some cases where it transpired that Government had actually paid at a substantial rate per square yard for land and then found that that land was not in existence ! You cannot stop maintaining land records, because constantly serious questions do arise about these matters.

These survey records need to be corrected and kept up to date for every change either through the action of private persons or the action of public departments. If you do not keep them up to date, it will lead to enormous confusion with the ultimate result that there will be an increase of work all round. There is no country in Europe which does not keep the most elaborate record of right in land which they call the " cadastral " ; that is why we call these surveys cadastral surveys, they are simply records of every plot, however small, however large. Without such a complete record, as I have already said once to-day, you cannot

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mortgage your land. If you go to a Sowcar and say : " I have got this land, but I do not know its survey number or boundaries." He asks you : " what is the tenure on which you hold it ? " You say you do not know because you have no copy of the land record and cannot satisfy him. He will naturally say " I cannot lend you money when I do not know the survey number or situation of your plot of land, and under what tenure you hold it. "

This difficulty was not felt in the early days before British rule. There was no rental value of land and no mortgage was therefore possible and therefore no land record was needed by the land owners, but now-a-days it is quite inadvisable that we should abandon that.....

Rao Bahadur B. R. NAIK : Are land records maintained by village officers ?

Mr. F. G. H. ANDERSON : No.

Rao Bahadur B. R. NAIK : Are not records of rights maintained by village officers ?

Mr. F. G. H. ANDERSON : But not survey records.

Rao Bahadur B. R. NAIK : Are they not inspected by mamlatdars ?

Mr. F. G. H. ANDERSON : Records of rights are, but not the survey records.

Rao Sahab D. P. DESAI (Kaira District) : Sir, much has been made of the technical side of the survey and settlement work. To my mind if a surveyor is attached to the collector in every district, that surveyor would do the whole work so far as the technical portion of the work is concerned, and so far as the inspection work is concerned, the mamlatdar is quite competent to do the work. As a matter of fact these district inspectors are as much instructed in their work as the mamlatdars, as they are the failures of mamlatdars who are shunted off to that line. Those whom Government want to favour but at the same time do not want to trust with mamlatas, are shunted off as district inspectors. These people draw Rs. 250 a month at the cost of the public. I have been living in a village, not in a city. In the villages I hardly see a circle inspector coming and doing his work there. These inspectors keep on moving and moving in the whole district simply to earn travelling allowance. There is hardly more than one correspondence or two to deal with every day. As regards their technical knowledge, they have to depend upon the surveyor. Their chief aim seems to be to move about.

Mr. F. G. H. ANDERSON : These inspectors do not draw travelling allowance. They get a fixed allowance.

Rao Sahab D. P. DESAI : All the same, I have never seen them ever measuring a field or doing classification. These are the only two jobs which are technical—measuring and classification of a field—and the keeping of records and everything else connected with it is done in the mamlatdar's office, and village records are with the talati. They are never kept in the office of the circle inspectors who, with a clerk or two, travel from

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place to place in their district, and all the correspondence that they have to do hardly amounts to a single letter or a couple of letters.

Under these circumstances, I do not see any reason why these people should be retained.

Again, we have got an item of one lakh of rupees for training in work of this kind and, I think, the talatis, circle inspectors, mamlatdars, deputy collectors, and even collectors are expected to do that work. I think those of the honourable members on the opposite benches who have served as collectors have had to pass an examination in this class of work, and I do not see any necessity for this class of officers.

The Honourable Mr. J. L. RIEU : Sir, I think no case whatever has been made out for the abolition of these district inspectors. My honourable friend, the Settlement Commissioner, has given the House a very complete statement as to the duties which these officers have to carry out and the great importance of those duties, and I submit to the House that it is absolutely necessary to maintain these officers. The idea that the honourable mover has put forward that these men are simply wandering aimlessly all over the district in order to earn "T. A." is perfectly fantastic. That has been clearly denied by the fact that these officers get a fixed allowance and do not draw any such travelling allowance as has been mentioned by the honourable mover. I think it would be highly prejudicial to the interests of all land-owning classes if the survey records were allowed to deteriorate in accuracy in any way. The interests of the agricultural community are very largely dependent on a careful maintenance of these surveys, and I submit that the motion before the House is one which will be very prejudicial to them if given effect to.

Question put and lost.

Rao Saheb D. P. DESAI (Kaira District) : Sir, I beg to move the following motion—

"Reduce by Rs. 4 lakhs—Assistant Inspectors, Clerks, etc.—Rs. 14,02,544."

This is the last link in that series of Superintendents, Inspectors and then these officers, assistant inspectors, clerks, and so on. These inspectors come in touch with the villagers. Only some time back, about five or six years ago, when my honourable friend the present General Member was in charge of the Revenue Portfolio, these officers got an increment of salary amounting to a total of five or six lakhs of rupees. It did come to that, as their maximum was Rs. 60 and it was afterwards raised to Rs. 140, and so their salaries must have been raised by 42 per cent. or 50 per cent. I only suggest a cut of four lakhs, which I hope Government will consider to be a reasonable cut and accept it. They have no independent power. They simply make some enquiries in a village and make reports to the mamlatdar, and the mamlatdar comes there and makes further enquiry into the same matter. Their chief work, as it appears to me, is to make arrangements and *bundobas* for the superior officers who camp in the village. They go ahead and

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make every sort of *bundobast*. Therefore, I think it should be possible to cut off at least Rs. 1 lakhs under this item

Question proposed.

Mr. P. R. CHIKODI (Belgaum District) : Sir, I heartily support the motion for the reduction suggested by my honourable friend Rao Saheb Desai. In 1917-18, ten years ago, the number of the assistant inspectors, the circle inspectors and clerks was nearly half of what it is now : it was 737, but now it is, 1,800 and odd and the pay has been considerably increased. I do not know how much the work has increased in the meanwhile, but if I were to guess, I should say that any increase in the work has not taken place, because there is no increase in the number of district inspectors or superintendents.

Mr. G. WILES : May I ask the honourable member from where he got the information about numbers ?

Mr. P. R. CHIKODI : I shall most willingly give the information. I have taken the book from the Council Library ; it is the Civil Budget Estimate for 1917-18. On page 58, the figures given are, assistant inspectors 14, circle inspectors 629, clerks 94 ; their pay has also been given. In the White Book for the next year, the number of assistant inspectors, clerks, tapedars and circle inspectors is given as 1,850. The pay is also going up.

Mr. J. W. SMYTH : In the 1917-18 Civil Estimates are tapedars mentioned in the item the honourable member has read out ?

Mr. P. R. CHIKODI : I think the circle inspectors are tapedars.

Mr. W. S. MUKADAM : I would like to know whether a tapedar means a circle inspector in Sind. I think they are the same, and that is the explanation that was given to us by the Honourable Mr. Lalubhai Samaldas when he was Revenue Member, both in this Council and in the Finance Committee, that the circle inspectors are called tapedars in Sind. (Laughter).

Mr. P. R. CHIKODI : Sir, he laughs most who laughs last. Laughter only shows a lame argument on the opposite side. Now, Sir, how many tapedars were there at that time, and how many are there now ? There is a difference of nearly 1,000 in the figures that I have quoted. To-day, the assistant inspectors, circle inspectors and clerks are 1,850 in number ; ten years ago their number was 837. Now, do Government mean that the tapedars in 1917 were 1,000 in number ? If that is so, let them say so.

With regard to the necessity for this staff, I entirely agree with my honourable friend who has moved the reduction of this item. With these words, I strongly support the motion that this item should be reduced, and I hope the House will carry it.

The Honourable the PRESIDENT : The honourable mover to reply.

Rao Saheb D. P. DESAI : I have nothing to reply.

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Mr. F. G. H. ANDERSON : I will not take more than one minute. There are two points.....

Mr. R. G. PRADHAN : I rise to a point of order. After the honourable mover has replied, how can any other honourable member speak ? Only the Member in charge of the department can speak.

The Honourable the PRESIDENT : The Honourable mover has said nothing yet.

An Honourable MEMBER : He said that he had nothing to reply.

The Honourable the PRESIDENT : Did he say that ?

Honourable MEMBERS : Yes.

The Honourable the PRESIDENT : Then the Honourable the Revenue Member to reply.

The Honourable Mr. J. L. RIEU : Sir, I submit that the comparison which has been made by the honourable member from Belgaum between the figures which existed in 1917-18 and the present figures, in so far at least as they relate to Sind, is absolutely incorrect. I understood him to make the statement that there has been an increase of 1,000 tapedars in Sind alone. I doubt very much whether there is that number of tapedars at all in Sind at the present moment. Certainly, there has been nothing approaching such an increase in numbers, and I think that we must on that ground only discredit entirely the comparison which has been made in respect of this particular item. I have not had time to examine the figures referred to by the honourable member, but I am informed that the comparison fails entirely for the reason that while the present figures include the staff in Sind, the figures for 1917 did not include the Sind staff.

Mr. P. R. CHIKODI : What is the figure for Sind ?

The Honourable Mr. J. L. RIEU : Moreover, another reason which accounts for the difference between the 1917 figures and the present figures is that, in a large number of cases, as the House knows, watandar kulkarnis have had their watans commuted, and have been replaced by talatis, that is to say, stipendiary village officers. That alone would account for a large difference.

Mr. L. M. DESHPANDE : Were there watandar kulkarnis in 1917-18 ?

The Honourable Mr. J. L. RIEU : I now see from the figures that in 1917 there were 872 tapedars employed in Sind. There has no doubt been some increase of establishment since then, owing to the spread of cultivation, the taking up of more land, and the heavier duties now imposed on these village officers, but I submit that it bears no comparison with the increase which the honourable member for Belgaum has referred to. I ask this House to reject the motion for the omission of this grant. It provides for the whole machinery of the Land Records Department, and to do away with this staff, or to make any large cut in this grant, would paralyse the administration of the department. The motion is for a reduction of Rs. 4 lakhs out of Rs. 14 lakhs, that is, for nearly one-third of the total grant. There is no possibility of effecting reduction by reducing the pay of these officers. I do not believe for a moment that

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Honourable members of this House would agree to have the pay of these officers reduced. In fact, generally speaking, I think, the opinion prevalent in this House is towards an increase of their pay if anything. I have received several representations from honourable members of this House regarding the increase of the pay of the talatis, who are in similar status. Therefore reduction could only be effected by very largely reducing the number of these officers, and I submit that this is quite impossible, at least to the extent contemplated by this motion. I therefore ask this House to reject the motion.

Question put and lost.

The Honourable the PRESIDENT: The next, item No. 29. Dr. Ambedkar. I wish to point out to the honourable member that it is a non-voted item.

Dr. B. R. AMBEDKAR: If there is any insuperable legal difficulty I drop the motion and bring a resolution.

Rao Saheb D. P. DESAI (Kaira District): Sir, I move:

"Reduce by Rs. 7,00,000—Total voted—Rs. 51,60,000."

The Honourable the PRESIDENT: Order, order. I should like here to draw the attention of honourable members that to-day is the last day for discussion under this head. There are yet many items. If honourable members wish to reach a good portion of these items I hope they would limit their remarks.

Mr. B. G. PAHALAJANI: I wish to bring to your notice, Sir, that the time for discussion of this head expires to-morrow at 3 o'clock; on account of our earlier rising the previous day, we have got one hour more. The time does not expire to-day.

Rao Saheb D. P. DESAI: I wish to discuss it from the stand point of economy, from the stand point of administration and from the stand point of policy. The maximum land revenue of this presidency is in the neighbourhood of five crores. To collect this revenue we find according to the practice of keeping accounts prevailing upto the year 1921-22 a charge of 125 lakhs for establishments has been maintained, that is, even if we deduct the inams and other similar items, we come to the neighbourhood of 127 lakhs. That we maintain such a huge establishment costing about 25 per cent. of the total revenue to collect that revenue appears to me something very extraordinary. I want to bring to the notice of Government that in a scientific system, as the honourable member Mr. Anderson puts it, a highly technical system—of course I do not accept the argument if the establishment costs one-fourth of the revenue collected, and according to the opinion of the technical advisers and experts of Government.....

The Honourable Mr. J. L. RIEU: I do not understand how the honourable member has arrived at that figure.

Rao Saheb D. P. DESAI: I will just explain to the honourable member. According to the budget of 1921-22 I have deducted all the items on account of inams, assignments, compensation and assessments of alie-

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nated lands less quit-rent. I have deducted these two items of 97½ lakhs and 14½ lakhs from the budget of Land Revenue. After you deduct it you have 127 lakhs which is actually out of pocket expenditure incurred by Government to maintain the huge and costly machinery which goes by the name of land revenue administration.

The Honourable Mr. J. L. RIEU: May I know whether the honourable member has made a deduction of the cost of Land Records Departments?

Rao Saheb D. P. DESAI: I quite appreciate the remarks of the Honourable the Revenue Member. The establishment primarily is maintained because the revenue should be collected. All this is maintained simply to facilitate the collection of land revenue. It is not maintained for the benefit of the public. I once asked a question regarding the total indebtedness of the agriculturists of this presidency. I was denied the reply to it. They say that Government have got the statistics of indebtedness of the agriculturists of this presidency, but the reply was not vouchsafed to me by the Honourable the Revenue Member on the ground that it would be very difficult to collect it from the records. Why is then the statistics of indebtedness kept if not for the benefit of the Government? Whatever it may be, the fact remains that an establishment costing 127 lakhs is maintained in order to collect a revenue of 5 crores. Now the lands have been surveyed and settled, demands of revenue are settled for all villages; and in that case a great deal of reduction can be made in the Land Revenue Department.

As a matter of fact honourable members from this side of the House have stated that Commissioners practically are of no use. They have also stated that deputy collectors are of no use. I still hold that Kanungo establishment—the superintendents and inspectors about which we talked just now—are also of no use. If these are abolished we can save more than 7 lakhs. If we still go on in this extravagant fashion and maintain such a huge army, I do not think how Government are going to effect economy and correct their land revenue policy.

The actual administration of the policy is the next grievance to which I wish to call the attention of the Honourable the Revenue Member. We who come from the mofussil have realised and are realising daily the extreme rigour of Government's land revenue administration. The most innocent, the most ignorant, the most uneducated man is subjected to so many rules and laws of such a strict nature that he is unable to meet the requirements of and follows his ordinary avocation without interference. In fact the administration is inelastic, both in the collection of land revenue and in the administration. Every now and then some new orders, resolutions, are issued, and then the poor men who do not know even of the existence of the orders, resolutions, etc., are subjected to all the rigour of the administrative machinery. I think some improvement should be made in this side also. Government should bring about some elasticity in the administration of land revenue. The prosperity of the agriculturist can be achieved not by rigour or strictness, but by

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elasticity in the administration. Even at present I know of instances of inelasticity. I have received innumerable applications from my district against this rigour: in no village the crops have exceeded 6 or 7 annas, and yet the revenue authorities have demanded not only the current year's assessment, but also half the assessment of the previous year. When we bring these facts to the notice of the Government and appeal to them to be less strict, all our appeals fall flat on this Government.

The pity of it all is that the revenue is demanded at the worst possible time. Every year, during this period, the money market is always tight, and it is during this stringency that Government enforce the payment of their land revenue. This process makes it difficult for the cultivator to meet the demand without making sacrifices either in prices or in the rate of interest he has to pay to the lender. You will realise that every year during the time the assessment is collected, the prices of agricultural produce are low. So, this assessment of 5 crores, owing to the way it is collected, entails a loss of another 1 or 2 crores to the cultivator owing to its indirect effect, namely, of forcing him to sell his produce in a cheap market. This fact ought not to be ignored by Government. So far as the present year is concerned, I still appeal to the Honourable the Revenue Member to write to all the collectors of the presidency asking them not to demand half the assessment of the previous year. To collect like that would be not only sheer injustice, but sheer cruelty.

The rigour of which I am talking is also reflected in the budget. In the year 1921-22, unrealised land revenue, i.e., arrears, was in the neighbourhood of 1,54 lakhs. That means that Government was elastic up to the year 1921-22. In 1924-25 the land revenue balance had fallen to 93 lakhs. Remember that all the intervening years were very bad years, they were not good years. This very fact shows that since the Reliefs came into existence, Government must have ordered their collectors and revenue officers to realise the land revenue to the fullest extent and not to show any leniency in the land revenue collections. Otherwise the figures would not have been so glaring in the budget. After 1921-25 Government have given up showing the land revenue balances in the budget. So, I think they may have very little balance left, and it is perhaps from this reason they have omitted to show the land revenue balances in the budget.

Now, let us consider what they do to remove the hardships which their policy have inflicted on the cultivators. The advances made by Government to cultivators under the Land Improvements Loans Act show a remarkable falling off. I have got a statement made of *tagai* payments made by Government. In 1920-21 they paid 74 lakhs of rupees; in 1927-28, when the condition of the cultivators is worse, the payments are put down at Rs. 9,58,000. I think there is some provision for co-operative purposes amounting to Rs. 3,50,000. In all about Rs. 13,00,000 is set apart for payment for *tagai* and co-operative purposes. For their

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lagai transactions Government charge 8 per cent, *i.e.* while they borrow at 5 or 6 per cent., they lend at 8 per cent.—that is my impression.

Mr. G. WILES: That is not true, Sir.

The Honourable the PRESIDENT: That is not the correct rate, as the honourable member the Finance Secretary says.

Rao Saheb D. P. DESAI: Well, I do not know if there is any change in the rate. But this much I know that they borrow at 5 per cent. and lend at 8 per cent. I am, however, thankful to you, Sir, for making it clear that Government do not demand the Marwadi rate of 8 per cent. May I know at what rate the Government now are lending to the cultivators, Mr. Wiles?

Mr. G. WILES: I haven't got the papers with me to tell the rate definitely, but I think we have been lending at 7·3 per cent. and this rate also has just been reduced to a lower one.

Rao Saheb D. P. DESAI: Sir, I now come to a very important point about the land revenue policy. This Council passed a resolution some time back, that is, three years back, regarding the present land revision settlement. At that time we were made to believe by Government that revised rates would not be levied till a definite law about Revision Settlement was passed. But unfortunately in many of the districts—particularly in Gujarat—of this presidency, revised rates of the assessment are being levied and they are levied not because the cultivators deserve it but because the cultivators do not deserve such a revision. At present the Government have adopted the policy of raising their land revenue by revision not on the considerations which obtained before, but on the principles which have been adopted only for the purpose of the present revision. I mean since Government cannot increase their revenue on any other grounds, they have adopted rental basis as their sole guide. In spite of the famines during the past 30 years, that is, in spite of the famine of 1900 and scarcity and famine periods, Government have thought it fair to take this step. They should have carefully considered and consulted non-official opinion before giving importance to such a basis and levying increased assessment in this presidency to the extent of 33 per cent. I should think that this House should take a rather strong attitude especially as their resolution has been disrespected in this manner. With these words I propose that Rs. 7 lakhs be reduced from land revenue.

Question proposed.

Rao Bahadur B. R. NAIK (Surat District): Sir, I do not know whether Rao Saheb Desai is serious enough in proposing this motion, but whether he is or he is not, this motion has given us an opportunity of discussing the most important subject of land revenue. I may assure this House, in the beginning, that I am not going to take up the time of this House by dilating on the very heavy expenditure, because Rao Saheb Desai has come out with those grounds; nor would I tell the history of the land revenue policy—the rent theory—which is most unjust, inequitable and which

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had been condemned in the last century by eminent statesmen of Great Britain and India—a policy which has no parallel in any part of the civilized world. I would only touch the points discussed the other day by the honourable member the Settlement Commissioner. He reminded us of the Land Revenue System of Todermal and he went on to say that this Government had adopted that system and improved upon it and made it a perfect system. Now, Sir, let us see what this system is. It is a system which takes away the proprietary rights of the peasants and reduces them to the state of tenants of Government—not perpetual but periodical tenants-at-will. And yet that system, the Settlement Commissioner says, is in the interest of the people. Now according to section 107 of the present Land Revenue Code, the land revenue should be based on the profits of agriculture. But I say this section is observed in breach. It is strange to find that neither the assessment has been based on the profits, nor on the fertility of the soil, nor on rentals, but it has been based on one principle and one principle alone, and that is to squeeze as much as possible from the agriculturist. What do we find? Government say “We are the owners, we are the proprietors, of the soil, and agriculturists are our tenants; they must pay us rent of the land.” I say Government have got every right to tax the people and to take revenue from them, but they should take it in a right and just way. For instance, if an agriculturist has a couple of acres of land whose product comes to about Rs. 30 or Rs. 40 out of this amount the cost of preparing the crop, say, Rs. 15 or Rs. 20, goes away, and the balance remains Rs. 10 or Rs. 15. Now, what is the assessment he has to pay? Rs. 6 to 7 per acre. Therefore, I say that the system is very defective. I say whatever land revenue the agriculturists, who are the tenants of Government, have to pay is a tax on their very labour. We are told the other day by the Settlement Commissioner—and I understood him to have said—that this system of assessment does not affect the poor cultivators at all, it affects the landlords alone. But I do not agree with him on this point.

Well, Sir, in the Bombay Presidency proper there are not large number of zamindars, in Sind there may be many zamindars, I believe, though I do not know about that. But I know about the part from which I come, and the poorer districts of Gujarat of which my honourable friend the Settlement Commissioner is well aware. The taluka of Chorasi in Surat district is the most highly assessed in the whole of the presidency, except perhaps, Borsad in Kaira district which is very highly assessed, and I know some particulars about the number of landlords, etc., of Chorasi. Altogether in the year 1924 there were 8,297 holdings, out of which owners holding 100 to 500 acres were only 15; 1 to 5 acres, 5,534; 6 to 25 acres, 2,360; and 26 to 100 acres 388. So only 15 holders, Sir, with a holding of 100 to 500 acres and above 500 acres the number was *nil*. This is the most highly assessed taluka, and perhaps I might say most of the officers, honourable members sitting on the opposite benches, might think that all these people are well-to-do. Now, Sir, this is the condition and therefore I say it will affect not only the landlords but mostly the tenants who are agriculturists.

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Now, I come to famine conditions that are prevailing in the current year. It was published in the *Times of India* the other day that famine conditions existed in some parts of the presidency, and I find that my district, Surat, was also mentioned. The report said that in Olpad and in Bardoli the situation was bad. It was reported there was no other complaint. But I say the condition is more or less bad in the whole district. I can tell you, Sir, I have no complaint against the officers who make the annewari. But my complaint is against the rules under which this annewari is prepared, and also against the rules under which remissions and suspensions are granted. My complaint is not wholly against the officers. I know the Collector and I know the prant officers. They are at times sympathetic. They tell me they have seen certain places, which sometimes deserve consideration, but they have been tied down by rules to a particular method of arriving at the annewari. I was very glad to hear from the Honourable the Revenue Member that he is going to issue instructions for preparing annewari in future with the help of a non-official local committee to be appointed whenever occasions arise. I am very glad of it. But this committee will not do any good unless and until the rules for preparing annewari and also rules for granting remissions and suspensions are revised. A village is taken as an unit. Now, it has been admitted, and I know my honourable friend Mr. Chatfield will bear me out that cotton is a failure more or less in the whole of Gujarat this year. In a village suppose one occupant—I do not say owner, but an occupant—has grown all cotton, he has not got jowari, nor any bajri. If cotton is a failure, how is he to pay his Government dues and maintain himself? Even if the annewari of the whole village is taken, say, at 6 annas, which will be enough to pay his Government dues to the extent of about Rs. 100 or Rs. 200 and if there is any little surplus at all it may maintain him for a time. But what about his maintenance for the whole year? What about the maintenance of his family, and what about feeding his cattle for the whole year? It is all very well, Sir, to say that it is not the desire of the officers, it is not the desire of Government, to be hard on the occupants or cultivators. All the money goes to the Government exchequer and nothing or very little is left to the poor cultivator. Under the present system and rules, unless there is actual starvation, the famine cannot be said to exist. And after three months, in May or June if the honourable member the Commissioner Mr. Chatfield will come down to Surat to know whether there was any famine, he will feel convinced.

Now, Sir, the most important thing for which I want to say a few words is about the revision assessment. Several honourable members including myself have tabled resolutions on this subject and I will get an opportunity to discuss this subject in details then. I understand and it has been already said by one of my honourable friends that a committee was appointed by Government at the instance of this honourable House, and the committee sat at Poona in 1925, consisting of Sir Lalubhai (then Mr. Lalubhai) Samaldas and other members. And about eighteen months have elapsed now, and yet the report of that committee is not published.

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I wrote to the Revenue Secretary: I wrote to several other officers. I do not know whether there was any undertaking on the part of Government not to revise the land revenue assessment until the report was published and considered. This report should have been published before this and the whole House should have discussed it. I do say that there must have been moral obligation on the part of Government at least to wait till the report is published, is discussed in this House and adopted by this House. In the meantime they say they will publish it. But I am afraid they will wait till the whole revision assessment of the presidency is over, and then they will decide which system should be suitably applied.

The Honourable Mr. J. L. RIEU: May I assure the honourable member that the report will be published to-morrow? I gave an undertaking the day before yesterday, yesterday was a holiday, and the report would be published to-morrow.

Rao Bahadur B. R. NAIK: I thank the Honourable the Revenue Member, and request that until the report is published and discussed in this House the revision settlements that are already proposed in the several talukas in the presidency should not be given effect to.

Now, about irrigation. I know I have no time at my disposal but about irrigation I have to speak a few words. Sir, Gujarat—I will not say anything about Sind and the Deccan. I have no grudge against them but Gujarat has been totally neglected in the matter of irrigation. No big irrigation work has been started. A few months back the Honourable the Leader of the House visited Surat as Revenue Member and he promised in a public meeting to supply me in my capacity as President of the District Local Board, Surat, with boring machines. It is now eighteen months. I wired to the Honourable the Leader of the House, who was then the Revenue Member, to send the boring machines. I wired to the Commissioner of the Division, and it is now eighteen months, still I could not get the boring machines. Fortunately, I have to thank Mr. Mackie, the Collector, who was kind enough to write to the mamlatdar of Bardoli to hand over the machine which was in his possession. I was going to take charge of the machine: the next day another reminder or letter came to me from the department of agriculture. It said: "No, Sir; this machine cannot be handed over to the president of the district local board at present. It must come back to us." This is the way in which, Sir, the water-supply is looked after.

I spoke about this to the Honourable the Revenue Member and also to another member on the Government bench. My district is in great need of boring machines, especially in Olpad, Chorasi and such other talukas where we get no drinking water at all at present.

Now a word about Himayat and I have done. I do not know how the honourable member, the Settlement Commissioner, can support the present policy. During the last ten years about four lakhs of rupees have been collected in my district for Himayat, but they have not spent more than about 70 thousand on the repairs of tanks. I do not know

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where the balance has gone to. I strongly recommend that the surplus should be utilised, in fairness, on tanks in my district. I assure the Honourable the Revenue Member that as President of the District Local Board I move about the district and I can tell him that the condition of the tanks is bad, to use no harsher word.

The Honourable the PRESIDENT: That question raised by the honourable member for Sukkur that the two days end to-morrow according to him, I think must be settled by me before honourable members build their hopes one way or the other on that. I hold that the two days end to-day. I suppose that he relies on the fact that because we closed the day before yesterday at 3-30 there was due to the honourable House one hour. If I remember right, when the question was brought to the notice of the House as to whether they would like to adjourn early to take advantage of the Government House Garden Party, it was said by some one, I forget by whom, that they should get credit for the loss they would undergo by meeting earlier on other days or extending some other time, and the Honourable the Leader of the House distinctly said that he could not agree to it. It was therefore left open to the House to have said whether they cared to take advantage of the Government House Party and adjourn early or to take up the full time. That being so, if the House so desires, that is to say, if there is a consensus of opinion, that they should get one hour that they have lost for the discussion for two days under this head, I am ready to give it to them, but at the same time it must not be understood that the 12 days fixed for the discussion of demands could ever be extended. It would be the same, whether they want an extension under this head or they would rather finish it this evening. I should like the House to decide that themselves.

Mr. B. G. PAHALAJANI: So far as I remember, it was only when the question of the select committee on the Aden Bill was under discussion that we made a proposal to the Honourable the Leader of the House in order to give us two hours to make up for that. It was only then that that was not agreed to. But so far as the time taken up on the occasion of His Excellency's Party, I believe that the matter still remained open as there was no discussion at all. The previous presidents on such occasions began early in order to end early, and whether or not we had a right to demand it, they have been conceding to us the privilege of making up whatever time was lost, of course with the mutual consent of both sides of the House. The Government have never yet objected to that course being resorted to. That has been usually done.

The Honourable Sir CHUNILAL MEHTA: The precedents, so far as I remember vary. It is true that on some occasions an hour or so has been made up in the way suggested by the honourable member for Sukkur. That has however not always been done. On Monday when we discussed this matter, my recollection is that it was proposed that we should meet very early or adjourn late so as to get as much time on that day as possible, and by mutual agreement it was arranged that we should meet at 12 and go on to 3-30 without any break. It was mentioned, I think, by one honourable member, I do not know who it was, but it was mentioned

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that this hour should be made up otherwise. There was no definite proposal to that effect and I do not think there was much desire, at least not a unanimous desire, on the part of the House that on other days we should sit earlier. I think, Sir, I have noticed that five hours is almost as much as members desire to sit and even on the last day of Demands for Grants the time is from 12 to 5 and does not extend beyond five hours. The desire of members on the official side is that, if there is no very strong objection, we should stick to the ordinary time and sit for five hours every day.

The Honourable the PRESIDENT : I was just going to suggest that we continue this debate for one hour to-morrow and finish the head "Revenue," and later on, if it is necessary, we shall consider the question, if all sides are agreed, of making up that one hour.

The Honourable Sir CHUNILAL MEHTA : All right, Sir.

The Honourable the PRESIDENT : This discussion will be continued again for an hour to-morrow unless it is finished to-day.

Mr. W. S. MUKADAM (Parch Mahals District) : Sir, I rise to support the most modest, moderate and reasonable cut of 7 lakhs proposed by one Rao Sahab and supported by another Rao Bahadur. This Revenue Department is the earning child of the Government and therefore it is the most favourite child and as it is so the defects, the mismanagement and the misdeeds done by the members of that department are all pardoned by the Government as experience teaches us.

Sir, before I criticise some of the actions of the members of that department, I would admit one fact, that no Government, either foreign or our own, can go on without taxing the people for the protection they give and for the convenience they offer to the ryot. In India, nobody will find a single individual in any corner of the country who will oppose paying taxes or will not like to pay any reasonable tax for the protection he receives from the Government and the conveniences he enjoys. But they only grudge when unreasonable demands are coming forth. Sir, when the germ of greed is created in the heart of an individual, I know it works havoc, and when it is created in the hearts of any powerful Government it works wonders. Sir, this Government, I am rather grieved to say, is becoming every day more and more greedy of money ; they are actually mad after money, and they do not see the real and exact condition of the people while collecting from what the people have in their pockets. Sir, I speak on this motion only to take advantage of the opportunity of ventilating some of the grievances of my constituency, so far as this department is concerned.

The burning question of my district to-day is the report of the revision settlement of Kalol and Halol talukas. The agriculturists of those two talukas are red with rage over the injustice done to them by the Revision Settlement Officer who worked out the report. The history of that report I cannot give out in details here for want of time, but in brief I would say that Government have hopelessly failed in making out a case for increasing the assessment already paid by the agriculturists in those two

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talukas. The first revision settlement was made in the year 1880. I do not know the exact year, but it was in 1880 or thereabout. When that revision settlement was made, the people vehemently protested against the injustice done to them at the time. Government at that time were somewhat kind; it pains me much to say that they were not so indifferent as they are to-day. They leaned a little bit towards the petitions and protests of the people, and they replied to the people saying that there was some mistake or something of the sort, but that they had undergone so much expense already, that they were not prepared to have a re-assessment again, and the grievances of the people would be favourably considered at the time of the next revision settlement. After 30 years, that next revision settlement day came. But, Sir, we all know that our Government are expert in the art of promise-breaking; and in that case also it pains me much to say that they broke their promise and did not consider the case favourably, as they had once said they would do. Again there was a protest from the people. The people cried aloud against the new increase. They found that the Government had not carried out what they had promised to do. They said: "You ought to do what you have stated. Instead of giving a favourable consideration to our case, you are going to kill us by the increases recommended in the revision settlement report." Sir, the Government then declared that for 10 years at least they were going to suspend the revised rates, and they were not going to execute what was recommended in the report. So, up to 10 years, everything was calm and good. But, Sir, after deep consideration, I knew how this Government was very kind to the people immediately, and how the fountain of kindness was flowing in the shape of postponing the execution of the report for 10 years. After deep consideration, I came to know that there was a policy under hand, and it was this, that those were the days and times and years when, if the Government had tried to increase the assessment, the people would have laughed at them. Even people from outside would have laughed at them. Taking advantage of that condition, they showed to the people their liberal heart, and they postponed it. I would have thanked the Government, if they had applied that revision settlement after 10 years; I could have understood that the Government were kind at heart, if they had done so. But, Sir, within 10 years, a new revision settlement report was made. And, Sir, it is the misfortune of my constituency that the very Assistant Collector who made this revision settlement report and recommended some increase and some decrease in assessment is the Collector to execute it. We have to send an appeal against the levy of increased assessment to the very man who has recommended it. That is one thing. The other thing is that in the report Government have stated that the condition of the people is becoming better day by day. Sir, we cannot rely much on the report of the Government officers in this matter. If the Government benches would hear me patiently with an unbiassed mind, they will be convinced in their heart of hearts, even if they outwardly may show that it is the contrary, as to the truth of what I have to say. Whenever the head of

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a district goes in the district to any particular village, by whom is he surrounded? He is surrounded by mamlatdars, circle inspectors, talatis and other *johukumwallas*. These are the official people; and who are the non-officials who go to worship the feet of the *sahib*? They will be none but the police patel, the *ravana*, some Rao Bahadurs and Khan Bahadurs and Rao Sahebs and Khan Sahebs, title hunters, and those who have already got titles in their pockets. These are the persons by whom he is surrounded. When he is surrounded by these people, and when he is enjoying the hospitality of so many people, how can he enter and see the huts and hearths of the hundreds and thousands of toiling agriculturists. After all, whether these officers are brown or black, they are human beings. So, we cannot expect them just to imagine that the people are going from bad to worse. They only judge from what they actually see with their own eyes. I admit that it is the fault of our own men that they exhibit to the officials what actually is not. But the fact is this. The financial position of my constituency in general including Halol and Kalol talukas, is getting poorer and poorer everyday. You will be surprised to hear one fact if I bring to your notice an incident which took place within the last ten years. One depressed class agriculturist had to mortgage his own wife for the sake of money. (An Honourable Member: Shame, shame.) If the Government benches or the Member in charge is going to challenge this statement I will accept the challenge and give out the name of the man who mortgaged his wife and the man who accepted his wife. (Laughter). This is not a matter for laughter. It is a matter of great regret that this incident should have occurred. Last month while I was touring in the Halol taluka I saw a man borrowing Rs. 20 from a Pathan paying 4 as. a month per rupee as interest. He paid Rs. 36 by selling his own dear bullock to a Bania and Rs. 4 remained, not out of the capital, but out of the interest. Some of the pattidars who make an outward show, if you go into the details, are actually mortgaging their cattle and farm and ornaments and what not. They are growing from bad to worse day by day. All these facts and figures are before the eyes of the district officer and he can make attempts to raise their position.

The other strong ground put is that they raise a crop of ground-nut. In these talukas, especially in the Kalol taluka ground-nut is sown. There is no objection to admit facts. But I wish to bring to the notice of Government, when they spend thousands and lakhs of rupees on the Agricultural Department, whether they do not consider it better to send an officer of the Agricultural Department to examine whether the sowing of ground-nut would be paying to the agriculturists in the long run. It cannot be paying, Sir. After three or four years of ground-nut crop, the land does not give the same amount of crop; and the crop goes on decreasing. Is it fair to tax the poor agriculturists on the basis of the first three years for thirty years to follow for the fault of having grown ground-nut? This is a lame argument put forward by the officer who submitted the revision settlement report.

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The other thing is the sub-boil water rate. You will be amused to hear, Sir, the argument: whether you have well or not, whether you make use of the water or not, natural water has come up and so pay the tax. Because I say that an honourable gentleman is fit to draw Rs. 10,000, though he is not earning now, impose a tax on him on an income of Rs. 10,000. The same analogy can be applied here. It is nothing but sheer injustice. It is actually civilised plunder or loot from the agriculturists of this presidency, and the so-called civilised Government ought to be ashamed of plundering the poor agriculturists when the actual fact is that they are going from bad to worse day after day.

Sir, one thing more is that there is a system called Igatpuri settlement, according to which one year's total reduction is to be given in the year in which the revision settlement is to be effected. But that concession is unfortunately not granted to these talukas. I do not know why this sort of treatment, which is given to a step-child, is being given to my district. Is it because it is backward?

Rao Bahadur R. R. KALE (Satara District): I rise to a point of order. I have no mind to intervene in this debate. I am just looking into the last year's debate to see whether an honourable member when discussing a particular cut can be allowed to discuss the general policy. I find here a ruling of the President that the general policy cannot be discussed:

"The Honourable the PRESIDENT: I should like to invite the honourable member's attention to the fact that he has moved a motion for a cut of Rs. 20 lakhs and therefore his speech is hardly appropriate. His speech on a cut of Rs. 20,00,000 ought to show from what items he wants to reduce the provision in order to make up the Rs. 20 lakhs.

Mr. M. D. Karki: I submit to your decision, Sir.....

The Honourable the PRESIDENT: If the honourable member wishes to attack the department he can do so on the various motions which are tantamount to a censure. In regard to big cuts honourable members can show how economy could be brought about. The honourable member's speech is that the Honourable Minister is not spending enough money, while he wants a cut of Rs. 20 lakhs.

Mr. M. D. Karki: I may be allowed to consolidate all the motions.

The Honourable the PRESIDENT: You cannot do that. If the honourable member wants to show how Government should retrench he is perfectly welcome to do so on this motion. He cannot ask the House to support a motion for a cut of 20 lakhs while all the arguments he uses in support of it are that more money should be provided. He can say relevantly all that he has been saying on any of the censure motions.

Mr. M. D. Karki: I will withdraw it."

Therefore, Sir, the President has ruled that all that will be relevant on motions tantamount to a censure.

The Honourable the PRESIDENT: Order, order. The ruling may be perfectly correct; but I have been noticing that the mover of this motion has from the very beginning gone on the general policy, and the Rao Bahadur who followed him has also done the same. I thought that the general trend of the House was to attack the policy and not specifically to make out how that particular amount could be reduced from the total grant. I thank the honourable member for having brought that ruling to my notice and to the notice of honourable members, and I would

[The President]

request honourable members to confine their remarks in the manner referred to in that ruling and follow the spirit underlying it.

Mr. B. G. PAHALAJANI: That is the only ruling you will find of your predecessor. So far as I remember I will point out other rulings to-morrow of your predecessor and of the President previous to him to the effect that general policy can be discussed on motions for big cuts. I am grateful to you for not having shut out the whole matter by your final ruling.

The Honourable the PRESIDENT: The main point is there that honourable members will have occasion when we get to cuts really dealing with policy, to discuss it from their point of view. That can only be possible if honourable members will now save the time of the House by confining their remarks to relevant points. I personally do not think that it is the duty of the President to point that out to the House. It is the duty of honourable members to see how they can save the time of the House in order to come to questions they have concentrated their minds upon.

Mr. W. S. MUKADAM: Now, Sir, after hearing the discussion about the point of order raised by my honourable friend (Rao Bahadur Kale) I will reserve my other criticisms for the discussion on the one rupee cut. I will conclude the criticism I have taken in hand. Even the ordinary consideration of an *Igatpuri* settlement was not shown to my talukas. There is a system of collecting raised assessment from every *survey* number, and according to that policy in Kalol taluka, even a raised amount was collected. I have in the last week had special messages and special messengers from Kalol taluka asking me to bring this matter to the notice of the authorities concerned, namely that the Collector has issued orders to the effect that that system should be stopped and the calculation must be made on every *khatu* and not on every survey number. That will be a sheer injustice to one taluka, and I hope Government will open their eyes and do the needful.

After hearing the point of order raised, I will reserve further criticism on this subject for the discussion on the cut for one rupee. With these words, I beg leave to resume my seat.

Mr. P. J. MURZBAN (Bombay City, South): Sir, I intended to keep silent on this motion, because, as honourable members know perfectly well, we are fighting against time, and it is also apparent that the major portion of this House has made up its mind not to support this absurd cut; but I am just impelled to lay my emphatic protest against the attack the last honourable member hurled against Indian nationalism. His attack was contained in his remark that because Government put such an undue pressure upon agriculturists, therefore the agriculturists have become so demoralised that they are prepared as a nation to sell their wives.....

Mr. W. S. MUKADAM: I never made that statement. I merely narrated a fact, as you will remember, Sir.

Mr. P. J. MURZBAN : My submission is that because the honourable member pointed out one solitary case, to deduce from that that the Indian nation is so demoralised that they are prepared to sell their wives because of that policy is far from the truth. I lay my emphatic protest against that statement, and I hope the House will concur.

Mr. W. S. MUKADAM : I repeat what I stated.

Mr. H. B. SHIVDASANI (Surat District) : I rise, Sir.....

Rao Bahadur R. R. KALE : Mr. President, I seek a ruling definitely on the point raised by me, because I have a motion for a one rupee cut, and if I can discuss the general policy of Government on this motion, I want to utilise this time now for such a discussion.

The Honourable the PRESIDENT : It is for the honourable member himself to see how the discussion is proceeding and utilise the time as best as he likes. I am not prepared to give a definite ruling, because the mover of the motion has started the discussion in a general way and did not point out how such a big cut could be made out of the total demand. As the discussion has gone on from the beginning in that strain, I do not desire to give a definite ruling now. I repeat again that it is no part of the duty of the President to lead honourable members into particular channels of action.

Rao Bahadur R. R. KALE : Sir, I move that the question be put.

The Honourable the PRESIDENT : The honourable member Mr. Shivdasani is in possession of the House.

Mr. H. B. SHIVDASANI (Surat District) : Sir, I rise to support this motion, and that for one reason. The policy of Government with regard to revision settlements is entirely contrary to the wishes expressed by this House on more than one occasion. We know that the Council carried a resolution against Government by which we recommended that a committee be appointed to consider the principles of revision settlements, and we further recommended that till legislative action was taken on the recommendations of that committee no revision settlement should be either made or introduced. Government, in spite of that resolution, and the clear expression of the wishes of this House, has gone on apace not only introducing revision settlements but making further revision settlements. When the very principles of revision settlements are in the melting pot, is it fair, is it honest, is it straightforward, to go on with revision settlements under the old principles ? What does that mean ? Does it mean that Government have no honest intention of accepting or even considering the recommendations of the committee, which they have acquiesced in appointing ? They appoint a committee, and while the committee is sitting and signing their report, and the report is about to be made, Government is issuing notification after notification appointing settlement officers to make revision settlements of various talukas. What can it mean, unless it means that Government have no honest intention of considering the proposals of the committee. I was a member of that committee, and I may say that in the report which will be published to-morrow the principles

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which the committee have recommended are entirely at variance with the principles under which existing revision settlements are being conducted. Now, when the committee recommends one set of principles, and Government, even after receiving the report, goes on appointing settlement officers to make revision settlements under other set of principles, it can only mean that Government are prejudging the issue, that they have no intention of taking any steps, and that all that they want to do is to put the report in their pigeon-holes.

The policy as regards revision settlements of the Bombay Government has been contrary to what has been laid down by the Land Revenue Code. Section 107 is the one which deals with revision settlements. It says :

"In revising assessments of land revenue regard shall be had to the value of land (that is to non-agricultural land) and, in the case of land used for the purposes of agriculture, to the profits of agriculture."

Now, I believe every revenue officer will admit that the land revenue system of the Bombay Presidency is based not on profits but on the capacity of land, that is, what the land is capable of producing. No effort is ever made by any settlement officer to find out what the profits of agriculture are; no revision settlement officer tries to ascertain what the net profits are. First of all, the Bombay land revenue system is based on classification, and under this system you merely determine the capacity of the land. As it is explained in the Survey Manual, the main items on which to base the classification of the land are, quality of the soil, depth of the soil and other characters of the soil. Supposing an income-tax collector went along and told Mahatma Gandhi "You are capable of earning Rs. 10,000; therefore, you should pay income-tax on Rs. 10,000." what would it mean? He would be taxing not income but the capacity to earn income. Capacity cannot be exactly measured. Now, the Bombay land revenue system is based entirely on capacity; under the classification system you merely determine the capacity of the land—its quality, depth and position as regards irrigation. After ascertaining the classification, it is used as a basis; certain anna valuation is given, then certain maximum rates are applied to each group of villages, and the classification value is multiplied by the maximum rate, which may be Rs. 2, Rs. 3 or Rs. 4, and then the assessment of the land is arrived at. So the basis of Bombay land revenue is entirely at variance with the basis as laid down in the Land Revenue Code.

Another instance which I could cite for saying that Government is taxing not the profits but the capacity in the matter of land revenue assessments, is their policy of putting assessment on what is called sub-soil water. The history of assessment of sub-soil water is this. About 60 or 70 years ago Government had imposed certain taxes on wells; there was an uproar against it, and it was pointed out that it would lead to a set back in the matter of digging wells; so Government removed the tax on wells and put a tax on those lands in which wells could be dug. They removed the tax on wells, but they put a general tax on those fields in which wells could be dug. The cultivator may be too poor to dig a

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well, but all the same, because there is sub-soil water under his land, so he must pay.

Nobody has ascertained that there is sub-soil water or not. What the surveyor does is that he sees the depth of water in two or three places and then draws the inference that the depth of water must be so many feet and applies the sub-soil water rate. As a matter of fact instead of removing the tax on wells, Government have increased it. They remove one tax and impose another and bigger tax. In Volume II of the Survey and Settlement Manual, on page 342, we find a table giving the scale of anna valuation for sub-soil water. I find there that if the value classification is 20 annas and over and the water is at the depth of 35 feet, four annas are to be added to the classification, and if it is at the depth of 39 feet below the level, the classification value is also increased by four annas and that will be multiplied by the maximum rate. The maximum rate in the Surat district comes to as much as Rs. 1. So the increase due to sub-soil water rate may come to Re. 1 per acre. The rate is fixed by the Settlement Officer who infers that the water must be about 39 feet and therefore the sub-soil water rate should be charged at this rate. In this way the poor cultivators suffer. As a matter of fact the poor cultivators are not in a position to dig wells in spite of tagavi. In the last Council Government was good enough to state that they would be good enough to give tagavi freely on wells, and where the well was a failure, they would agree to bear the cost. But still we find that the cultivator is too poor to dig the well. Nay he is too poor to take advantage of wells that are already there.

The honourable member for Panch Mahals referred to the Kalol taluka. I have read the report of the Kalol taluka and I find that 992 wells are used for cultivating less than 200 acres of land. That is the capacity of people. I am sure no revenue officer can maintain that the people are sufficiently well off to dig wells. In the Deccan, I may state that digging of wells is a gamble. The cultivators may spend perhaps a thousand of rupees in connection with digging a well, but in the end he may find no water at all.

Under section 107 of the Land Revenue Code it is laid down that assessment must be based on the profits. As a matter of fact every independent person who has studied the Revision Settlement Reports, has come to the conclusion that the only object of the Revision Settlement Officer seems to be to justify some sort of increase. I would say that the settlement system is itself very defective. According to that system the maximum rate is not fixed first. What is fixed first is the total amount which Government should extract from the people. The Revenue Officer also prepares figures as to how much the whole village should pay and how much a taluka should pay, and then distributes the maximum rate. So, I say the system is very defective. Government, in spite of the express wish of this House, goes on making revision settlement. I took one or two reports, which are under the consideration of Government; those reports are of the Chorasi and Bardoli talukas. There I find that the Settlement Officer himself admits that the rent at present is about

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three times or three and half times the Government assessment. But I ask what this rent is. Nobody would think that the rent is a net profit. Some portion of the rent is due to the improvement made by the cultivators themselves. It is due to the fact that the cultivators must have improved the land from its original condition. He might have dug a well, or he might have built an embankment or levelled the land, the return of which would be part of rent. Further, I may state that if any person is compelled to mortgage the land, the rent is considered to be the interest on the money borrowed. I, therefore, say that if the Government want to follow a principle in the land revenue, they should prepare the estimates of net profits as has been prepared by Dr. Mann in his book called "Land in a Deccan village." That is the proper way to come to a decision about levying taxes.

If you will refer to the report of the Taxation Enquiry Committee, you will find that it has recommended that the assessment should not exceed 25 per cent. of the net profits. I believe it is also the recommendation of the Bombay committee. The recommendation of the Bombay committee was made before the Taxation Enquiry Committee's report was published. It was not because the Taxation Enquiry Committee recommended that they also recommended the same rate. They arrived independently at that conclusion. If that basis were followed, the basis of 25 per cent. of net profits, the Government will find that, instead of increasing assessment in Chorasi and Bardoli talukas, it would have to be decreased. There, I estimate, they are at present taking 40 per cent. instead of 25 per cent. Therefore, I say that the revision settlement system is very defective. The factors which are at present considered are several and miscellaneous. As a matter of fact, I find that the revision settlement officer for Bardoli taluka has not taken into consideration the amount of money which is coming from South Africa to Bardoli. Several people of Bardoli have gone to South Africa and I think I am right in saying that as much as 1 crore of rupees or more has been received from South Africa during the last 30 years of the existence of the revision settlement. When a crore of rupees is received from outside and the settlement officer without taking into consideration the large amount brought by the people from outside, draws his conclusions from the selling value of the land, injustice is sure to be done to the poor cultivators. The cultivator must invest all his money in land, and when as much as one crore of rupees comes from outside, the value of the land must go up, but you cannot say that the land itself has improved. Similarly, it does not mean that the fertility of the soil has gone up. The assessment must be based not on the value of land but on profits of agriculture.....

The Honourable Mr. J. L. RIEU : Value of land.

Mr. H. B. SHIVDASANI : Section 107 says :

"And, in the case of land used for the purposes of agriculture, to the 'profits of agriculture'....."

The Honourable Mr. J. L. RIEU : Not all.

Mr. H. B. SHIVDASANI: That is, non-agricultural assessment. The section says:

"In revising assessments of land revenue regard shall be had to the value of land and to the profits of agriculture.".....

An Honourable MEMBER: It does not say "or;" it says "and."

Mr. H. B. SHIVDASANI: There are two kinds of land. I think Government would be well advised to take the opinion of the Advocate General or some other legal luminary. This section 107 refers both to non-agricultural assessments and agricultural assessments. If this first portion does not refer to non-agricultural assessment, what does it refer to? The standard rates are entirely based on the value of land. Under this section of the Land Revenue Code they are based on the value of land. That is covered by the first part; and in the second part it says "and, in the case of land used for the purpose of agriculture, to the profits of agriculture." Then, is Government justified in taking more from the cultivators because they go and work hard outside and bring money from outside and thereby the value of the land is raised?

Mr. F. G. H. ANDERSON: Yes.

Mr. H. B. SHIVDASANI: The value of the land is not raised? Do Government expect people to go and slave in South Africa and earn money, in order to pay the assessment? The value of land means the real intrinsic agricultural value. The value must bear proportion to the real net value. If the value of land goes up owing to special circumstances, if people go and slave themselves in South Africa and work very hard and bring some money, do Government think that that is a justification for increasing the assessment on the ground that the value of land has increased?

Mr. F. G. H. ANDERSON: Yes.

Mr. H. B. SHIVDASANI: I think it is ridiculous, and scandalous, I would say, that Government should tax the cultivators for money for which they work hard and slave themselves to get it.....

Mr. F. G. H. ANDERSON: What about income-tax?

Mr. H. B. SHIVDASANI: If they bring money from outside, they are exempt from income-tax. Another defect of the British land revenue system is, though it may appear to be a little better than that followed by the native rulers, the assessment is levied with scientific rigidity. In the old days though the assessment fixed may have been high, it was not taken invariably and punctually. The British suspension and remission rules are not sufficiently liberal and several times people are compelled to borrow money in order to pay the land revenue assessment. As a matter of fact, the honourable member from Pauch Mahals tried to impress upon the House the bad economic conditions of the poor people in this country by saying that though the Indian's morality is very high, he is obliged by extreme circumstances to have recourse to mortgaging his wife. He did not and could not mean that the Indian's morality was so low that on the least pretext he mortgages his wife. His ground was to show that we Indians moral as we are, we are placed in

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such hard circumstances that we are compelled even to mortgage our wives. The honourable member from Bombay thought that he, the honourable member from Panch Mahals, has libelled the morality of the Indians.

As regards finding out the anna valuation, Government regards grass as a crop. Now, I ask Government, is it fair to regard grass as a crop?

Mr. F. G. H. ANDERSON : Yes.

Mr. H. B. SHIVDASANI : You give a big anna valuation by regarding grass even as a crop ! You must take the net produce from real crops in normal times. In normal times, the value of rice crop per acre may be say Rs. 80 in a year, whereas the value of grass will be only about Rs. 10 per acre. The outturn of grass may be more in any year and there may be no rice crop, there may be no cotton crop, and yet the Collector would regard grass as a crop and say that grass is 12 anna crop and the area under grass may be half the total area, and therefore the anna valuation comes to 6 annas, and therefore you do not deserve any remission or suspension. I know the author of this system of regarding grass as crop is sitting on the other side, on the opposite benches, in this very hall. But I think that though in boom times it might have paid people to grow grass, it does not now pay to do so. I know that in most places grass is really not exported but only used for feeding the cattle. So, if you do not get a good crop of rice, there is no reason why you should regard grass as crop and thus increase the anna valuation. Even in such circumstances, honourable members on the other side have the audacity to maintain that the anna valuation should be considered 6 annas. When we become slaves of a certain system and lay down rules and do not exercise our commonsense or show any regard for the feelings or for the economic position of the people, when we follow the rules slavishly, that is the state to which we are reduced. One settlement officer gets a brain wave, and he says that for the purposes of anna valuation grass is to be regarded as a crop ! And, moreover, the valuation of grass is always over-estimated. Grass won't enable people to live, though some people are obliged by circumstances to eat grass. They cannot sell grass in ordinary times and buy their necessities, and all the same they will be compelled by Government, under their present rules of suspensions and remissions, to pay the full assessment. I therefore enter my very strong protest against the revision settlement policy of the Government, who are going headlong, who are introducing revision settlement, without even waiting for the report of the assessment committee they have appointed, and without taking into consideration the wishes expressed by this House on more than one occasion. I would, therefore, recommend that all the members of this House should support this cut to show that we do not approve of the revision settlement policy ; we do not approve of the policy of taxing people still further in spite of their extreme poverty ; we do not approve of their policy of making valuation (anna valuation) by regarding grass as a crop ; we do not approve of the way in which they tax water which

[Mr. H. B. Shivdasani]

is not available and which we are too poor to take advantage of. I therefore hope that this House will carry this motion.

MR. F. G. H. ANDERSON : Mr. President, if we were going to sit and continue this general discussion till midnight. I think it would be just possible for me to deal with most of the points made by honourable members on the other side. But I am sure you will agree with me that it is quite out of the question within the time available. I did not come here—I do not think it is my fault—with all the Revision Settlement Reports referred to and therefore I am not in a position to-day, and should not be until to-morrow, to answer all the criticisms made by honourable members on the other side as to the figures in those reports. But there is one thing which I must touch before I deal with other matters : and that is the remarks with which the honourable member for Panch Mahals favoured the House on the subject of the settlement in Halol-Kalol. Now, Sir, I went there myself and I went with the Collector when we were considering the statistics and facts for that settlement, and in the several places that I visited, although it is quite true we were accompanied by circle inspectors and surveyors, I never saw the head of “ Jo-Hukunis Walas ” and the “ Rao Bahadurs,” he told us about, who came round to deceive us. We do in fact base our assessment on the value of land and in the case of agricultural land upon the profits of agriculture. But there is only one sure guide to profits of agriculture and that is the rental value which in a free market tenants pay.

The charge has been made that although we know the conditions of the people, that although we knew that they would not be able to pay, yet knowing that, we personally recommended increase in the settlement rate and that Government, in sanctioning that settlement, are carried away by their passion for exploiting the people and squeezing the last drop out of them, in the face of *knowledge* that the people are unable to bear that burden. I repudiate that as a grossly scandalous libel, and I put it to the honourable members on the other side that if they use that sort of argument, can they expect us on this side of the House, or the public out side, to take anything they say at all seriously ? Surely, they must know that such hysterical declamations like that cannot do anything but the greatest harm to their own reputation. We may be mistaken, any man can make a miscalculation, but to say that we do it maliciously and wilfully against our knowledge is atrocious : and I fling that insult back in the honourable member's face. We do not.

Coming to the question of the basis upon which our land revenue is calculated, I had a little experience a week or two ago which I was able to consider entirely from a disinterested point of view as the revenue of Government was in no way at issue. It was a case of a tenant who was holding land in Kanara from a landlord. That tenant did not pay any land revenue. The tenant was complaining to us about the high rent he had to pay to his landlord. He told us what the quantity of grain was that he was able to get as his crop ; he told us what the cost of cultivating was, what the cost of labour was and he showed us that after that nothing was left for him. Then I asked him why he did not give up the land and go

- [Mr. F. G. H. Anderson]

into another occupation for his livelihood? He said he could not give up his tenancy, because then he would have no means of subsistence left. In face of this I had to abandon the problem. I felt unequal to the argument. That is the position you will always reach when you try to go into the question of net profits on agriculture. Any farmer in this presidency cannot show conclusively that his net profits are nothing at all. And yet many somehow continue to cultivate, even as tenants. In other parts of the world there is one basis of land revenue, and only one sound basis, namely, rental valuation. Here we know very easily what the landholder gets from his tenant and we thus get a definite and incontrovertible basis. Those who have read the works of the new famous American, Henry George, know that this theory has given rise to a world wide movement which is growing daily in strength both in the United Kingdom and the Continent, and which movement claims to be able to remove the evils of poverty, slums and injurious taxation by one simple device by taking for State purposes the greater part of the increased rental value of the land. In rental value we have a basis which is absolutely strong and firm, and which will not let us down into the quagmires of calculations, assertions, counter-assertions and speculations into which we sink the moment we begin to consider the "net profits of agriculture." But what is the rental value of land due to? We heard the honourable member from Surat Mr. Shivdasani saying that the accumulations of money made by the cultivators raised the value of land. He mentioned, the Bardoli taluka and also the Chorasi taluka.....

Mr. H. B. SHIVDASANI : I said those cultivators mostly got their money from Africa.

Mr. F. G. H. ANDERSON : The value of land goes up.

Mr. H. B. SHIVDASANI : Not because of State exertion.

Mr. F. G. H. ANDERSON : I say whatever be the cause of the rise in the value of land, the State, the Government or the public have every right to take a substantial portion of that from the landlords for State purposes.

Mr. H. B. SHIVDASANI : Why do you not tax improvements?

Mr. F. G. H. ANDERSON : No, improvements are never taxed under the Bombay system. It has never been our policy to tax improvements. But the question of sub-soil water is quite a different thing. In several parts of the presidency when land has sub-soil water, we tax land according to its capacity and the rental value which it acquires because of that sub-soil water facility. The rental value of land, which is in the vicinity of wells, which are an indication that there is sub-soil water, is certainly higher than where land shows no such indication and therefore we are in every way justified in making a small addition to the valuation for taxation purposes, to the extent of not more than 40 or 50 per cent. of the enhanced rental value due to the sub-soil water. In fact, one of our chief revenue reforms in Gujarat is that instead of taxing a well by a large amount, when that well has been put down by the owner at his own expense to

[Mr. F. G. H. Anderson]

tap the sub-soil water, we confine our demand to the general facility attributable to the existence of the sub-soil. This is a problem which has been thrashed out by some of the ablest of our officers in the past and we now abstain from taxing the improvements made by the construction of a well. But when we find land which possesses the additional quality of containing sub-soil water, ready and fit to be tapped by sinking wells, we spread the tax all over that land by an increment in its rateable value.

The Honourable the PRESIDENT : It is now 7 o'clock. Is the honourable member likely to take longer than a few minutes ?

Mr. F. G. H. ANDERSON : There are a good many points I should like to answer.

The Honourable the PRESIDENT : The Council will now adjourn to 2 o'clock to-morrow, Friday the 4th March 1927.

Vol. XIX

Part XII



Bombay Legislative Council Debates

Official Report

Friday, March 4, 1927

[Price—Annas 5 or 6d.]

BOMBAY
PRINTED AT THE GOVERNMENT CENTRAL PRESS
1927

Obtainable from the Superintendent of Government Printing and Stationery,
Bombay, from the High Commissioner for India, 42 Grosvenor Gardens
S.W. 1, London, or through any recognized bookseller.

Friday the 4th March 1927

The Council is assembled at the Town Hall, Bombay, at 2 p m, on Friday the 4th March 1927, the Honourable the President, Mr A M K. Dehlavi, Bar-at-Law, presiding

Present

ABDUL LATIF HAJI HAJRAT KHAN, Khan Saheb
ADDYMAN, Mr J
AHMAD, MOULVI RAFIUDDIN
ALLAHBAKSH walad Khan Saheb HAJI MAHOMED UMAR, Mr.
AMBEDKAR, Dr B R
ANDERSON, Mr F G H
ANGADI, Rao Bahadur S N.
ASAVLE, Mr R S
BALAK RAM, Mr
BECHAR, Mr N A
BELL Mr R D
BHOSLE, Mr M G
BHUEGRI, Mr J W
BHUTTO, Khan Bahadur S N
BIJARANI, Khan Bahadur SHEER MUHAMMAD KHAN
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Mr S K
BROWNE, Mr D R H
CHIKODI, Mr P R
DABHOLKAR, Sir VASANTRAO
DAGUMIYA, Mr G A
DAUDKHAN SHALLBHOY, Mr
DESAI, the Honourable Dewan Bahadur HARILAL D
DESAI, Mr B T
DESAI, Mr J B
DESAI, Rao Saheb D P
DESHFANDE, Mr L M
DIXIT, Dr M K
DUGUID, Mr A
FIRODIA, Mr K S
GHOSAL, Mr J
GHULAM HAIDAR SHAH, Mr
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Saheb
GILDER, Dr M D
GINWALLA, Mr F J
GUNJAL, Mr N R
HARRISON, Mr. C S C
HATCH, Mr G W.

HOTSON, the Honourable Mr. J. E. B.
 JADHAV, Mr. B. V.
 JAIRAMDAS DOULATRAM, Mr.
 JAN MAHOMED KHAN, Khan Bahadur
 JANVEKAR, Mr. D. A.
 JEHANGIR, the Honourable Mr. COWANJI
 JITEKAR, Mr. HAJI IBRAHIM HAJI MAHOMED
 JONES, Mr. W. E.
 JOSHI, Mr. S. C.
 KALE, Rao Bahadur R. R.
 KAMBLI, Rao Bahadur S. T.
 KARKI, Mr. M. D.
 KAY, Sir JOSEPH
 KHUHHO, Mr. M. S.
 LALJI NARANJI, Mr.
 LALLJEE, Mr. HOOSAINBHAY ABDULLABHAY
 MAJMUDAR, Mr. N. G.
 MANSURI, Khan Saheb A. M.
 MARTIN, Mr. J. R.
 MEHTA, the Honourable Sir CHUNILAL
 MIR MAHOMED BALOCH SHAIKH, Mr.
 MONTEATH, Mr. J.
 MUJUMDAR, Sardar G. N.
 MUKADAM, Mr. W. S.
 MURZBAN, Mr. P. J.
 NAIK, Rao Bahadur B. R.
 NANAL, Mr. B. R.
 NOOR MAHOMED, Mr.
 OLIVEIRA, Mr. F.
 PAHALAJANI, Mr. B. G.
 PAINTER, Mr. H. L.
 PATASKAR, Mr. H. V.
 PATEL, Mr. G. I.
 PATEL, Mr. J. R.
 PATIL, Rao Saheb D. R.
 PERRY, Mr. E. W.
 PETCH, Mr. F. W.
 PRADHAN, the Honourable Mr. G. B.
 PRADHAN, Mr. R. G.
 RAHIMTOOLA, Mr. HOOSAINALLY M.
 RAJMAL LAKHICHAND, Mr.
 RIEU, the Honourable Mr. J. L.
 SARDESAI, Mr. S. A.
 SAYED MUHAMMAD KAMIL SHAH
 SAYED MUNAWAR, Mr.
 SHAIKH ABDUL AZIZ ABDUL LATIF, Mr.
 SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
 SHETH, Mr. A. D.
 SHIVDASANI, Mr. H. B.

SMYTH, Mr. J. W.
 SOLANKI, Dr. PURUSHOTTAMRAI G.
 SURVE, Mr. V. A.
 SWAMINARAYAN, Mr. J. C.
 TAUNTON, Mr. I. H.
 THAKOR OF KERWADA, the
 THORNBRE, Mr. J. P.
 TURNER, Mr. C. W. A.
 VANDEKAR, Rao Saheb R. V.
 WILES, Mr. G.
 WINTERBOTHAM, Mr. G. L.

The Honourable the PRESIDENT: Order, order. Swearing in of new members.

Mr. R. D. Bell took the prescribed oath of allegiance to His Majesty the King-Emperor and took his seat in the Council.

Sir JOSEPH KAY: (Bombay Chamber of Commerce): Sir, may I ask whether the Honourable the Leader of the House will agree to take up the demand for grant under Development on Tuesday and Wednesday? The Honourable the Leader of the House stated in his speech when he presented the budget that he was agreeable to fix the days for the discussion of the various demands according to the convenience of honourable members. In the ordinary course of events, I take it that, following the heads of Revenue and Irrigation, the Development demand would come on for discussion on Monday. But unfortunately, my honourable colleagues on these benches have a certain amount of business to do on Monday, and as there is to be a considerable amount of important discussion on Back Bay Development, if the honourable member could arrange the work of the House in such a way that the Development grant could be taken on Tuesday instead of on Monday, we shall be very thankful to him.

The Honourable Sir CHUNILAL MEHTA: Sir, I have stated, as was correctly pointed out by the honourable member Sir Joseph Kay, that we would do everything to meet the convenience of the House. It was arranged that we should take the Sukkur Barrage first, which would apparently take two days, that is, to-day, to-morrow, and perhaps a portion of Monday, as an extra hour is being taken up by Land Revenue to-day; the Development Department would be taken up after that. I fully appreciate the honourable member's desire to be present here, when the discussion on the Development budget takes place, and I would be glad to meet the honourable member's convenience. I would only wish to point out to him that on the Development budget the debate will no doubt go on for two days at least. If we take up the Sukkur Barrage to-day, that will occupy two days, which means that on Monday one hour will be taken up by the Sukkur Barrage Debate. So, he will have the whole of Tuesday and a portion also of Wednesday for the Development budget. The proposal was that after the Development budget, Excise should be taken up. If now, the date for the Development budget is altered from Monday to Tuesday, Excise would probably have

[Sir Chunilal Mehta]

to be taken up on Monday, and if it is not finished on Monday, it would have to be carried on to Thursday. That, Sir, is the difficulty that I anticipate. I have not the least objection to do what the honourable House may desire, but I should like to know if it will suit the honourable member Sir Joseph Kay's convenience that a portion of the day, as I pointed out, on Monday, the whole of Tuesday and one hour again on Wednesday be kept for Development.

Sir JOSEPH KAY: My trouble is that I have a rather important reduction to propose, and I may not be in the House when called upon to move that reduction. I take it, in those circumstances, I lose the opportunity, which I wish to avail myself, of moving this very important reduction in the grant.

The Honourable Sir CHUNILAL MEHTA: We could undertake that the motion which the honourable member Sir Joseph Kay wishes to move will be taken up at any time when he is prepared to move it, on Monday or Tuesday whenever he likes.

The Honourable the PRESIDENT: I have something very important to inform the House about, and it is this, that I have extended the time by an hour to-day, the time allowed for the discussion of the head 5, Land Revenue, in order to facilitate discussion, and for that I have purposely held back questions this morning, so that the House will have as much of the full hour as they can get. I would therefore hope that the House would see that they save time in the discussion and use up the hour as best as they can.

The other important matter to which I wish to refer is the question which was raised by the honourable member Rao Bahadur Kale, as to whether a general discussion can take place on lump cuts. I have gone into the many rulings on the question given by my worthy predecessors, and I am satisfied generally, although some of them are conflicting that on lump cuts general discussion can take place. The course of the discussion, which has taken place, was therefore in order.

Mr. R. G. PRADHAN (Nasik District): Sir, I just want to ask the Honourable the Leader of the House, in view of the urgency of the matter, what action they have taken or propose to take as regards the Parasnis collection. The House knows that in the newspapers there is a statement to the effect that the collection is likely to be purchased by some American people. In view of the urgency of the matter, I would request the Government to make a statement as to what the position is.

The Honourable the PRESIDENT: The honourable member can wait till 3 o'clock and ask the question.

Question again proposed:

Reduce by Rs. 7,00,000—Total voted—Rs. 51,69,000

Rao Saheb D. P. DESAI: Sir, I am prepared to withdraw the motion if Government are prepared to accept a reduction of about a lakh of rupees.

The Honourable Mr. J. L. RIEU: I am unable to accept the offer.

Mr. F. G. H. ANDERSON : Sir, when the House rose yesterday evening I was engaged in meeting an attack from front, flank, and rear on all points of the land revenue policy of Government. Unfortunately I was not fortified by all the blue books relating to the settlement and other matters which were criticised. To-day I have the advantage of being followed by my honourable friend the honourable member in charge, and I shall leave it to him to deal with some of those questions as to Halol and Kalol that have been raised and confine myself to the main ground of our policy with regard to the assessment of land revenue. This will really cover the whole ground of our land revenue policy, and render it unnecessary to go in detail into the questions of sub-soil water akarni and himayat assessments and other like matters as to which we have been accused of resorting to all sorts of strange devices to raising revenue from a suffering peasantry.

Let me first sketch the general theory upon which we take our stand with regard to the assessment of land revenue. If the basis is wrong then the whole policy is wrong and if the policy is right then we stand on unassailable ground. Honourable members will remember that nearly 10 years ago there was considerable agitation in Kaira against the payment of land revenue. On that occasion the respected Mahatma Gandhi who took a great part in that agitation, urged that the proper policy of Government should be to "let the ryots to assess themselves." That is precisely what our present policy actually does. I will ask you to remember that it is quite a mistake to suppose that the whole of the landlords in this presidency who pay revenue to Government are cultivating their lands themselves. It is not so. A very large proportion—unfortunately I am not able to say exactly what the proportion is but it is certainly not less than one-third of the aggregate area—is held by tenants who pay rents to their landlords, and those who pay the revenue to Government are those landlords. We are not in possession of the full figures. There are many districts in which that proportion will not be one-third but more than half. I know some parts where the proportion is three-quarters. But I am taking so low a figure as one-third for the purposes of argument.

Rao Bahadur B. R. NAIK : The figure is one-third including Sind ?

Mr. F. G. H. ANDERSON : It will be much more than that if you include Sind also.

Now, let us take an imaginary trip into one such area where the land is carelessly cultivated by tenants, let us take for example the territories of the honourable mover of this motion. Those territories cover a very large area and I will not disclose how many acres there are. I will merely state that there are a good many thousands of acres, and of that area thousands of acres are cultivated entirely by tenants who compete with one another to get his land for rent. We do know precisely what rent the honourable mover gets from his lands. I am not going to place the figures before the House, but I merely say that we know that the rent these tenants pay to their landlords is not less than five times the assessment on the land, that is to say, the assessment constitutes 20 per cent. of the rent the honourable

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member gets. These tenants know nothing about the assessment. They do not pay it, and it does not affect them. If you ask the tenants how they live, they say : " I cultivate the land, pay my rent and get certain profits and live. " If you ask them about the assessment they will say : " We do not pay assessment and it is paid by the landlord. "

Mr. B. G. PAHALAJANI : Is the policy being adumbrated here, Sir. Government are introducing all irrelevant matters and if we go on like this when will it end ? In that case we will have to go on till Doomsday.

The Honourable the PRESIDENT : I understand that the honourable member is replying to the points raised during the discussion.

Mr. B. G. PAHALAJANI : All these points have no bearing on the question ; and are outside it. There is nothing about the policy.

Mr. F. G. H. ANDERSON : I am coming to the policy.

Mr. B. G. PAHALAJANI : Let us come to the policy at once.

Mr. F. G. H. ANDERSON : I want the House to understand that the land revenue does not touch the tenants. Suppose that Government in return for the distinguished services of the honourable mover in this House was to remit his land assessment, it will make no difference to the tenants. All the same the tenants have to pay their rents. If the tenants approached their landlord for any reduction of rents in view of such a remission of land assessment the landlord would say : " Why should I show any consideration to you because of the remission of my land assessment ? " Since that is the position, let us suppose as revenue officer I go to that area to carry out the directions of Government in assessing that area. I shall not go into the question of how much profit the tenants make because that has nothing to do with the question of assessing the land revenue. But I would ask what rent they pay to their landlords. It is enough if I know the rent they pay to their landlords.

What does the Land Revenue Code, that was read out in such detail by the honourable member for Surat yesterday say ? We read there that in revising assessments of land revenue Government shall have regard to the value of the land, and in the case of land used for the purposes of agriculture to the profits of agriculture. Now, every business-man in this House knows very well that in trying to ascertain the rent of the land we are only trying to follow the direction laid down in the Land Revenue Code. That, Sir, is the basis upon which land assessment is carried out in every part of the world, from the North Pole to the South Pole. I can well understand that the opposition does not like this land revenue basis ; in their position I should not like it, because they are out to put as much difficulty as they can in the way of Government realising any revenue.

Mr. G. I. PATEL : Sir, I rise to a point of order. The honourable member has already taken 20 minutes. Can he continue the discussion ? Can we apply any closure ?

The Honourable the PRESIDENT : There is no time limit ; that is my difficulty ; otherwise I would have called very many speakers to close much sooner than they did.

Mr. F. G. H. ANDERSON : I have finished, Sir.

An honourable MEMBER : Even if there is no time limit, closure can be applied.

The Honourable the PRESIDENT : I do not think I will accept the closure.

Mr. H. B. SHIVDASANI : Is the honourable member in order in making allegations against this part of the House.

The Honourable the PRESIDENT : The House is only wasting its time.

Mr. F. G. H. ANDERSON : Sir, I was only trying to explain the land revenue policy to the House. But as time is pressing, although I have not yet finished, I will resume my seat.

Mr. JAIRAMDAS DOULATRAM (Eastern Sind) : Sir, I do not propose to take much time of the House at the fag end of the discussion on land revenue grants. But there are a few points I wish to make with regard to the discussion which has proceeded so far.

I was sorry to hear one remark yesterday from the speaker who has just sat down. I think it is a well-known principle that ignorance of law is no excuse, and members of the public have to bear the penalty if they are ignorant of the law. I similarly hold that in the case of Government officials, they are assumed to be fully in touch with all that transpires within their jurisdiction. If, therefore, any non-official member, assuming that officials are fully acquainted with all that transpires within their jurisdiction, refers to any extreme case in which a member of the public has been driven to the step of mortgaging his wife and draws the inference that Government officials are callous in pressing for payment of revenue, I do not think it is a matter about which any official member need be unnecessarily indignant. Least of all do I expect that any official member will be betrayed into saying, what the honourable member was betrayed into saying namely that he would throw back the words in the face of the honourable member. I do not think that such language adds to the dignity of the House ; I do not want to make any further reference to this incident.

The point I want to make to-day is that the Press Note issued a few days ago might have done justice to the rest of the presidency, although there are complaints that justice was not done to any part of the presidency, but justice was not done to Sind. I believe that the honourable member in charge of the Revenue Department will agree with me that the brevity with which his remarks about Sind were expressed was rather extraordinary. I was inclined to attribute that brevity to lack of information in possession of Government at that stage with regard to the condition of things in Sind. I trust that it will not be seriously contended that it was not a question of lakh of information, but that the Bombay Government have no direct control over the grant of remissions or suspensions in Sind. I take it that Sind contributes substantially to

• [Mr. Jairamdas Doulatram]

the revenues of this presidency and that the expenditure incurred on administration in Sind is sanctioned by this Council. I expect therefore that in replying to my remarks, the honourable member in charge of the Revenue Department will be able to throw some light on the state of affairs in Sind with regard to remission and suspension of land revenue, and also indicate if he wishes to take any steps in the matter.

There are two districts, Sir, in my province which are rather badly hit on account of various causes during the last three or four months locusts, excess of rain in some places, and shortage of rains in other places. I will first refer to the district which is most badly hit, the Thar and Parkar district. I wish to place before this House not the opinion of those who may be regarded as extreme politicians, or the opinion of any Congress Committee, which is generally discredited by Governments for reasons which are not satisfactory, but I wish to place before this House the opinion of a body like the Taluka Agricultural Development Association, members of which, as honourable members of the House well know from experience, are not in any sense anti-Government. This association has gone into the question of the state of things in the Thar and Parkar district, and they feel that the people of that district have not been fairly dealt with by the local authorities. The zamindars in that district also met very recently, and they have sent a petition to Government asking for the grant of immediate remission at least of half of the land revenue and suspension of the remaining half, the suspended portion being recovered in two instalments, one in 1928 and the other in 1929. I understand that the Commissioner in Sind has said that where one and a half maunds of phutties (or cotton seeds) per acre is the yield there is no fair case for remission. I believe the price for one and a half maunds of phutties at the market rate to-day would be somewhere about Rs. 12. The zamindar's share being Rs. 6 and the assessment being Rs. 5-10-0, the excess of 6 annas in the pockets of the zamindar is held to be sufficient reason for not granting remission. This, Sir, is the average struck after enquiries made by the local officials in Sind. I believe there are villages in which the yield is far less than this. I can specify at least one village; I may be able to specify more later on, but unfortunately I am able to specify only one village now and make a test case of it, and that is village 308A in the Jamrao tract. The zamindars there have been cultivating American cotton to which Government feel that they ought to give the greatest possible encouragement. The yield in this village has been on an average only one maund per acre, and yet this is the village which has been denied any remission. I will, refer briefly, Sir, to the Nawabshah district. Both in the Naushahro and Moro talukas, people have applied for remission and for suspension, but they have not been satisfactorily dealt with. Government say that the *jowari* and *bajri* crops having been reaped they cannot strike an average of the yield per acre. Now Government officials have themselves admitted that after the reaping of the *jowari* and *bajri* crops the locusts intervened and the cotton crop was destroyed. Yet the people have gone without remission or suspension. I hope if Government is not able to throw much light on the state of

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affairs in Sind to-day, they will order further enquiry to be made in those parts where people complain that they have not got the full benefit of remissions and suspensions. I hope that Government will order an enquiry in those particular talukas and if unfortunately no remission is to be granted orders for suspension will be immediately issued, and also for the recoveries to be made in 1928 and in 1929. I do not wish to take up more time of the House.

Rao Bahadur R. R. KALE (Satara District): Sir, I do not wish to enter on the discussion of the policy of land revenue, because I do hope that we shall have soon before this House a new legislation and it will give us enough time to ventilate our grievances and co-operate in embarking in a new policy in this behalf.

My complaint at the present stage is with regard to the action of the Revenue Officers in the matter of carrying out the policy as it is, and especially in the matter of suspensions or remissions, so far as my district is concerned, I may say, Sir, if land revenue had been a transferred subject, as it is an allied subject to agriculture and forests, the officers who carry out the policy would have been responsible to the people. But as it is, we have to depend upon the executive officers in the matter of orders being executed. I may mention, so far as regards three or four places in my district where remissions or rather suspensions have been applied for, meetings were held and it has been pointed out at these meetings that applications have been made to the Collector and Revenue Commissioner to take steps. This has been done because they complain that the crops of their villages have failed and therefore the suspensions are necessary. But what do we find? We find that the Government have not taken any notice. They say that for the last two years suspensions have been given and if any more suspensions are given, ultimately remissions will have to be given. If that is so, I trust the Honourable the Revenue Member will give us his assurance to enquire into this matter, because the people complain, and rightly complain, that there has been a failure of crops. Rabi crop is a total failure and as regards kharif crop the people are not in a position to pay assessment on this, as I am informed that in the case of these crops there is only fodder and no grain. I may tell this House that the allegations of this kind, which have been made in meetings held for the purpose under the auspices of a League which is constituted in my district called the Voters' League to work the Government of India Act, are those of voters themselves and nobody else. I, therefore, think that resolutions passed at such meetings ought not to be set aside. I may further state that the persons who took part in these meetings have been served with notices saying that they are agitators against Government. I submit, Sir, that such kind of treatment is likely to cause discontent in the district. I do say that there is no famine and scarcity in the whole district, but there are certain parts which are situated on the boundary of the Sangli State and the people there are granted suspensions by the Ruler of that State. If therefore the question of suspensions arises in this case, I hope the authorities will look into this question very carefully.

[Rao Bahadur R. R. Kale]

I also complain that in the statement issued by Government just on the eve of this Council Session regarding the scarcity in certain places, there is entirely an absence of any reference to my district, and I may say that although there is no scarcity in a large area, still the small area, which has been affected, should have found a place in that statement. I, therefore, trust that members on the opposite side will give us an assurance that enquiry will be made and justice will be meted out to people in this behalf. If executive officers act in the way in which I expect them to act, certain amount of discontent will be removed, and with the necessary change of heart on the part of Government, I do think that they will not be criticised in the matter any further. With these words, I resume my seat.

Mr. MIR MAHOMED BALOCH SHAIKH (Karachi City) (Addressed the House in Urdu) : Sir, I see no department which should be free from retrenchment. Perhaps, extravagance of the public money has become a deep-rooted habit of the bureaucrats of this presidency. Establishments have been multiplied and work has been created to engage more men, who are merely drain upon the poor finances of the presidency. Besides exorbitant salaries, extra heavy allowances are paid to officers. I think no other country in the world pays so much to public servants as India is made to pay. I cannot understand the meaning of duty allowance and special allowance. Why do you give these allowances when you already pay your officers very heavy salaries ? Is not salary paid for doing duty ? Then why has this duty allowance come into existence ? Several posts can be abolished and the same work can be done by one officer.

The Honourable the PRESIDENT : Order, order. The honourable member must understand that the question under discussion is the revenue policy of the Government.

Mr. MIR MAHOMED BALOCH SHAIKH : I want to show to Government the way in which they should improve the land revenue policy. Now, Sir, what do we find in our places ? We find that these officers having no work, generally pass their time in their past-times, such as "shikars" and parties and gymkhanas. An officer's incessant touring in and out of season is a great calamity on poor people. Instead of redressing their grievances, his touring increases their woes and trouble. Poverty-stricken as already the ryot is, he is forced to supply grass, butter, hens, materials and other necessities, free of charge to his Zamindar, who provides to the officers all these things. Nominal bills are presented showing about 2 or 3 rupees as the aggregate amount spent on him. This kind of touring does not benefit, and I request Government to order the officers to restrict their touring to one month every year. Thereby both the Government and the people will be benefited. The customs of "lapo" and "resai" have not yet died out in Sind. Nay, they are as common as before, and the touring of officers is responsible for the continuation of these most hated customs. The Government will win blessings of ryots, if these customs are extirpated. So, I think,

[Mr. Mir Mahomed Baloch Shaikh]

the Government can easily reduce expenses if they really and sincerely desire to effect economy. The cut of one or two lakhs is not a big thing, if the Government will abolish some unnecessary posts, reduce the touring of officers and stop some of the allowances. Peace and prosperity will reign among the ryots if Government carries out this suggestion.

Mr. G. W. HATCH : Sir, I want to refer to the remarks made by the last speaker but one, the honourable member Rao Bahadur Kale, who referred to certain questions concerning his district. I may tell this House that a few days ago he spoke to me about the subject of famine and scarcity conditions in certain villages in his district and I at once wrote to the Collector and asked him for information. I have now received his reply and for the information of the honourable member I will read what the Collector says about a village called Bhilavadi which is the chief village affected. He says in his letter :

"The Assistant Collector was at Bhilavadi in August-September and saw wonderful 16 anna bajri crops and says the actual harvest must have been excellent."

I do not wish to take up the time of the House. I wish to impress upon them that revenue officers are not hard-hearted. Their only desire is to do justice to the people in their charge and therefore very careful enquiries are made before fixing the annewari. What we have to fight against is the natural desire of the person who is being taxed to avoid paying the tax. As a result of our suspension rules people have been getting the impression that if they shout loud enough, they will get suspensions. And that is likely to be so, especially if they are able to take up their objections through influential people such as perhaps their representatives on this Council ; that is the thing against which we have to fight if we want to bring the proper revenue into the coffers of Government.

Rao Saheb D. P. DESAI (Kaira District) : Sir, from the audible part of the honourable member Mr. Anderson's speech, I could only gather that he was only taken up as a result of his experience in the Revenue Department, by one principle, and that is the question of rents. He believes that rents are paid from profits and that the State taxes them on that basis. I accept that view, but at the same time I tell him and I tell the honourable members there (on the opposite benches) : "Apply this principle to all if you can, but do not apply them only to the profits or income from the agriculturists' lands." But if you have one set of measures for agricultural land and another measure for income-tax payers, then for heaven's sake do not spend all your arguments on that question alone. The honourable member, the Survey and Settlement Commissioner, who has spent so long a time in the Revenue Department for almost 30 years, knows full well that for rental statistics only selected places are taken, and if he still persists in denying this fact, let him review the settlement reports of the Kaira talukas. In Mater and Mehmabad he will find that the agriculturists had to pay the assessments not from rents but from their pockets and that the rents realised were far less than the assessments which these people had to pay, and in not a few cases the assessment bore the ratio of 142 per cent. to the rents. That is, the

[Rao Sahab D. P. Desai]

agriculturist had to earn his livelihood somewhere else and pay the assessment. All these points are always dropped by Government while calculating at the revision assessment. Again if he just studies the modern views on the unearned increment and not the theory of slave brokers who lived a hundred years ago, then he will find that the unearned increment of officers in India is far greater than the unearned increment of similar officers elsewhere. Unearned increment of traders and in the manufacturing industries are all greater and more faster than the unearned increment in the agricultural industry. The millowner in Bombay makes his income out of the agriculturist and others and gets his motor cars and millions because of the unearned increment which is a social product. It is a product brought about by the community. If there were no agriculturists, if there were no purchasers for their cloth, if there were no state, not a pie would be given to these people and all their cloth would be a drug on the market. So, the unearned increment is to be found in all social products. Again, take the example of simple newspapers. The newspapers are there, but when you introduce compulsory education and expand secondary education, these newspapers will be more read and they will find more clientele. Here again, these newspapers earn greater income through the action of the state, and the state in all the democratic countries is identical with the community. Through the efforts of the community they are earning and they will earn. So, I again request him not to put for this rental doctrine which was propounded about 10 years ago in this country and before this House. Perhaps he would be better advised if he promulgated these ideas in England. In England what are the conditions we find? That the grain is supplied not by the fields immediately lying within 20 miles of London but fields lying 6,000 miles away. And what is the reason. The whole theory of unearned increment is demolished by railways, ocean traffic and ocean transport, and on account of this and other reasons the grain from America is supplied in the London market, while the fields in the neighbourhood of London—that is of the biggest money market and the biggest consumer of grain in the world—are kept for the sport of the wealthy citizens of London. And how that city of London came into its wealth? Have the agriculturists in this country or in any other country the wealth which London has acquired? Tell me. The wealth that the magnates of industry and all these people have earned through the action of the state and the community gave value to their merchandize. So, I request the honourable member the Survey and Settlement Commissioner not to persist in his doctrine and not to force it on this House because it cannot be accepted under modern conditions. With these remarks I move my motion.

The Honourable Mr. J. L. RIEU: Mr. President, before I deal with some of the more general points that have been raised in the course of the debate, I should like to refer to the remarks which have been made by the honourable member from Sind Mr. Jairamdas Doulatram. He quoted instances of certain villages in the Thar Parkar and Nawabshah districts, in which, according to him, there has been a severe crop failure.

[Mr. J. L. Rieu]

In Sind, I must explain to honourable members, our remission system is more liberal and generous than that which prevails in the presidency proper. It has been a recognised element in the Sind revenue system, in so far as it differs from that in the presidency proper, that remissions are granted on a liberal scale and are granted directly, that is to say, the Sind revenue system differs from that of the Presidency proper in this way that whereas, in the Presidency proper in the first instance suspensions only are granted, which ultimately, after a certain period mature into remissions, in Sind remissions are made directly. The remission rules have been the careful study of successive Commissioners in Sind, and I think they have now attained a measure of finality, and I would like to assure the honourable member that if he brings his complaint before the Commissioner in Sind in the first instance, I am certain that it will receive the most careful attention. His speech does not give me the impression that he has made any such representations to the Commissioner in Sind, but if he has and if satisfaction has not been obtained, it is of course open to the parties who feel themselves aggrieved to approach Government. If they do, their case will receive consideration

Mr. JAIRAMDAS DOULATRAM : After approaching the Commissioner, I decided to bring the matter before the Council.

The Honourable Mr. J. L. RIEU : If the honourable member will see that the persons affected make representations, I am sure that they will receive due consideration.

Now, as the time left to me for replying to this motion is very short, I propose to confine myself to two special matters on which I wish to make certain observations to the House. The first point, which I consider to be an important one, and in respect to which the policy of Government has been attacked, is the allegation which has been made of a breach of faith on the part of Government in having undertaken a number of revision settlements pending the enquiry by the Land Revenue Assessment Committee into the principles of land revenue assessments. It has been suggested that there has been an undertaking given by Government that pending such enquiry no new revision will be introduced, and I wish therefore to state to honourable members exactly what happened.

In March 1924, the honourable member Mr. R. G. Pradhan moved a resolution to the effect that a Land Revenue Assessment Committee should be constituted and that pending its recommendations and their consideration by Government no further revision assessments should be introduced. Government did not accept this corollary to the main resolution, but all the same they postponed all revision settlements during the year 1924-25. In August 1925, the honourable member Rao Sahab D. R. Patil, moved a resolution regarding the Chalisgaon taluka settlement, and on that occasion the then acting Revenue Member, Mr. (now Sir) Lallubhai Samaldas, gave the following undertaking. He said :

“ While Government cannot accept the resolution as it stands he would be prepared to give an assurance that while we cannot undertake to hold up the introduction of new rates beyond the end of the present revenue year, that is the 31st July 1926, we expect

• [Mr. J. L. Rieu]

that before that date the Land Revenue Assessment Committee will have reported and Government will have arrived at a decision.

This Committee, which was constituted in June 1924, did not submit its report until August 1926, and the report was not actually in the hands of Government in its final printed form till the following October. By that time a very large number of talukas had come up for settlement and the amount of revenue involved was something approaching ten lakhs. Government could not continue to postpone these revisions at such a great loss of revenue, and therefore, although they waited up till the last moment, till almost the end of the year 1925-26, they determined finally that they must resort to the introduction of these revised settlements before the close of the year so that the new rates might come into force in the current year.

So much as regards the undertaking given by Government : but I would like to put the case before honourable members rather on the basis of the pure merits of the case. Now, I have before me the so-called majority report of the Land Revenue Assessment Committee, and I should like to point out to honourable members to what a small extent its recommendations differ from the principles which are now actually in force in conducting these settlements. The first point to which attention may be called is section 107, which lays down the principles of assessment and in this respect the changes which the Land Revenue Assessment Committee propose are very small indeed. In fact, they only suggest the incorporation into law of the principles which are at present actually being followed by executive orders.

The next point is as regards the percentage of rental value or profits of cultivator which is to be taken by Government. Regarding rental value the Committee declared themselves unable to make any suggestion at all. It is only in regard to the percentage of profits of cultivation that the Committee made any suggestion, proposing a proportion of 25 per cent.

As regards the limit of enhancement on revision, a definite recommendation for change was made by the Committee, in respect, however, only to such talukas as had already undergone two revision settlements. As regards all other talukas they recommended the retention of the present limits of enhancement. But the official members of the Committee have been unable to advise that Government should accept either of these last two recommendations. As regards the important question of the duration of settlements, the Committee propose no change at all in the existing practice. Therefore, to put it briefly, I submit to the House that the action of Government in introducing these new revision settlements does not constitute either a breach of undertaking on their part, or a departure from what they would in equity and on the merits of the case be entitled to do. I was going to deal at some length with the next important question, that of rental value, but I fear that the time at my disposal is too short to enable me to do more than refer to it very briefly.

The Honourable the PRESIDENT : There is no time at all.

The Honourable Mr. J. L. RIEU : In that case Sir, I resume my seat.

The Honourable the PRESIDENT : As we have reached the limit of the time allowed for this demand, the motion moved by the honourable member for Kaira falls, and the total demand has to be put to the House.

Question

" That a total demand of Rs. 56,66,000, under the head 5, Land Revenue, be made. "

put and carried.

The Honourable Mr. COWASJI JEHangIR : Mr. President, I rise to make a demand for Rs. 2,01,95,000 for capital expenditure on irrigation works in this Presidency under the head 55, Construction of Irrigation Works not charged to revenue. The total budget estimate for the ensuing year under this head for Sind and Deccan together is Rs. 2,47,64,000 against the current year's grant of Rs. 2,49,91,000. This amount is made up of

(a) Rs. 2,27,72,000 (including interest) for the Lloyd Barrage and Canals Construction project ; and

(b) Rs. 19,92,000 for works other than the Lloyd Barrage and Canals Construction in Sind and the Presidency proper. The total demand for the Lloyd Barrage and Canals Construction project was originally Rs. 2,52,72,000, but has been reduced, as in the current year, by Rs. 25 lakhs on account of probable savings. The reasons for the variations between the ensuing and current year's budgets are explained in the Blue Book and I need not therefore refer to them here.

The figure of Rs. 2,01,95,000 has been arrived at by the following deductions from the total budget estimate of Rs. 2,47,64,000 ;

(a) Non-votable expenditure of Rs. 41,49 lakhs consisting of :

(1) Rs. 6,01 lakhs for salaries of Lloyd Barrage and Canals Construction officers appointed by the Secretary of State, and

(2) Rs. 35,48 lakhs for interest charges on the Lloyd Barrage and Canals Construction project, and

(b) Rs. 4,20 lakhs for ordinary establishment and tools and plant at percentage rates on works other than the Lloyd Barrage and Canals Construction, the demand for which is made under " Civil Works " as usual.

This amount of Rs. 2,01,95,000 includes all charges in connection with the Lloyd Barrage and Canals Construction project with the exception of the non-votable expenditure of Rs. 41,49,000.

The Honourable the PRESIDENT : Order, order. May I interrupt the honourable member for a minute ? I find that I have made a little mistake in putting the last demand to the House. Under the head of 5, Land Revenue, I put the total demand at Rs. 56,66,000, but it ought to be Rs. 56,66,000 *minus* Rs. 11,936 which has been cut. Therefore the demand would be for Rs. 56,54,064.

Question put and demand granted.

The Honourable Sir CHUNILAL MEHTA : Sir, I only just wish to say that it is extremely kind of you to say that it was your mistake. I should like to mention that the Honourable Member himself might have asked for the sum *minus* Rs. 11,936, but I wish to express our gratitude for your taking the whole thing upon yourself.

The Honourable Mr. COWASJI JEHANQIR : Sir, I was just at the point when I was explaining why the demand is for Rs. 2,01,95,000, while the total budget is for Rs. 2,47,64,000. I was just explaining that certain items have to be deducted because they are non-votable. The items in short are such as interest charges and the salaries of officers whose appointments have been made by the Secretary of State, and there is also an item of Rs. 4,20,000 for establishment, too land plant, which comes under another budget head, which will be moved by my honourable friend Sir Ghulam Hussain. Therefore, although the total budget item is Rs. 2,47,64,000, I have to ask for Rs. 2,01,95,000. I was just explaining that point when I was interrupted.

This amount of Rs. 2,01,95,000 includes all charges in connection with the Lloyd Barrage and Canals Construction project with the exception of the non-votable expenditure of Rs. 41,49,000. Full details of the progress of work and proposed expenditure on this scheme as well as important provisions made for other works in Sind and the Deccan are given in the Blue Book for the information of the honourable members. I would specially refer my honourable friends to the very full explanation given of the Sukkur Barrage estimates in the Blue Book, which runs, I think, into 60 pages, and if my honourable friends will take the trouble of reading those pages, they will get a complete explanation for practically every item of expenditure. I need not therefore go into further details regarding these works, beyond referring to two important works in the Deccan. The first is the Lloyd Dam at Bhatgar of the Nira Right Bank Canal project, which is expected to be completed in the ensuing year : by that time also the major portion of the Nira Right Bank Canal will be ready. A provision of Rs. 8,62,500 has been made for this project. The second work is the widening and remodelling of the Nira Left Bank Canal which forms part of the Nira Valley Development project. This is being pushed forward so as to take full advantage of the storage at Bhatgar during the period of development of irrigation on the Right Bank Canal. Rupees four lakhs have been provided for this work in the next year's budget.

Mr. President, I would like to say a few words about the present financial position of the Lloyd Barrage scheme. As the majority of the detailed working estimates have now been completed, or are rather approaching completion, it is possible at this stage to compute the probable expenditure on this project with a fair degree of accuracy. On the basis of the latest information available I may say that there will probably be an excess of about Rs. 259½ lakhs counterbalanced by savings of about Rs. 199½ lakhs, or in other words a net excess of Rs. 60 lakhs on the whole scheme.

The chief items of excess are :—

	Rs.
(1) Customs duty	55 lakhs.
This includes 17½ lakhs for customs tariff on unfabricated steel, iron bars, etc., and Rs. 37½ lakhs for duty on machinery.	

The latter amount of 37½ lakhs, under the present arrangement with the Government of India, will be refunded to this Government, will be

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debited to general revenue and will be used by this Government for the reduction of debt.

	Rs.	
(2) Rectangulation	10	lakhs.
(3) Inclusion of an additional area of 1,14,000 acres of excellent land in the Tando-Bago taluka in the command of the project ..	9½	lakhs.
(4) Extra cost of land acquisition ..	49½	lakhs.
and		
(5) Additional expenditure on excavating distributaries on the Rohri and Right Bank Canal systems	135½	lakhs.

As regards customs duty, I may inform this honourable House that a sum of 55 lakhs is now required to be provided as a result of the recommendation of the tariff committee and the revision of the Sea Customs Act in 1924. You will agree with me that this additional item could not possibly have been foreseen either in 1919-20 when the original estimates were framed or in 1923 when they were sanctioned.

Rectangulation and the addition of an area in the Tando-Bago taluka are also new items which could not have been foreseen when the project estimates were prepared.

As regards land acquisition I may state that the excess under this head is due to the fact that actual awards for land compensation have, in several instances, turned out to be higher than the estimated amounts.

As regards excavation of distributaries the project provision was based on average rates whereas the detailed estimates are now under preparation for each channel based on up-to-date close contour surveys on acreage rates. Further detailed investigations into designs and working rates are however in progress and it is hoped that the total liability under this head will be reduced.

Honourable members will understand that no project estimate for a system of canals covering thousands of square miles can possibly be prepared in sufficient detail to be used as a construction estimate. In a scheme of this magnitude expenditure cannot work out exactly according to project estimates which had necessarily to be based on general information. Working estimates based on close contour surveys will, of course, show that there are excesses on certain items which are counterbalanced partly or wholly by saving on others. In the present case the major portion of the excess I have referred to will be set off by savings aggregating about Rs. 2 crores on items such as :—

- (1) Canal excavation on the Right Bank system (52 lakhs).
- (2) Manchur Drainage (Rs. 43 lakhs).
- (3) "Unforeseen" items under the Barrage (Rs. 37 lakhs).
- (4) Special tools and plant on the Rohri and the Right Bank Canal systems (Rs. 20 lakhs).
- (5) Mithrao Canal (Rs. 13 lakhs).
- (6) Establishment for the Eastern Nara and Right Bank systems (Rs. 9 lakhs).

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(7) Minor branches Right Bank system (Rs. 5 lakhs).

(8) Other items (Rs. 20½ lakhs).

The net excess is, as I have already said, Rs. 60 lakhs or about 3·3 per cent. of the project provision of Rs. 18, 35 lakhs and to repeat, when it is remembered that this excess is due to the inclusion of 55 lakhs for customs duty, 10 lakhs for rectangulation, Rs. 9½ lakhs for the irrigation of the Tando-Bago taluka and Rs. 19½ lakhs for land acquisition, you will agree with me that there is no occasion for alarm and that the present financial position of the Barrage Scheme may be regarded as satisfactory.

Mr. President, I have tried to show the heads under which we are at present expecting an excess and the heads under which we are expecting a saving. I think this will bear a little repetition. On the whole we will have a net excess of Rs. 60 lakhs and out of that one item alone is 55 lakhs, which certainly could not have been foreseen. Out of this 55 lakhs, 37½ lakhs will be returned to the coffers of the state from the Government of India. I have also shown that there is an increase in the land acquisition and my honourable friends the zamindars know that we have had to pay higher rates. I do not think that this excess under land acquisition can be put down against any part of the engineering works of the project. With these remarks I leave the budget for the consideration of this honourable House.

Question proposed.

Mr. NOOR MAHOMED (Hyderabad District): Sir, my motion is:

“Omit Rs. 50,000 provided for Fuleli Canals Works (P. W. D. Civil Estimates, page 8).”

At the outset I must inform honourable members of this House that this motion does not relate to any canal within the Barrage zone. I must also make it clear that in moving this motion I have the support of all zamindars in the Fuleli Canals area, both Hindus and Mussalmans. As the Honourable the General Member knows the zamindars possessing land commanded by this canal are known for their intellectual capacity; the fact that they have wholeheartedly supported me shows that I am in the right and that Government in this matter is going against the wishes of the public. Honourable members are now well acquainted with the system of river irrigation in Sind: the discussion on the Barrage has made that clear to them. The river Indus carries down so much silt with it that a large amount of money has to be spent on silt clearance both by Government and by the individual zamindars to keep the channels in ordinary working condition. But for this silt clearance, the beds of the canals and the water courses will get choked up, and in the end there would be no cultivation. But, Sir, owing to the miserable state of the finances of the presidency, Government have not been spending from year to year that amount of money to which we are entitled. In former times we were paying to Government 15 per cent. of the water rate for the *specific* purpose of silt clearance, to keep the water courses in proper working condition. This 15 per cent. was later on amalgamated in what is called the water rate, and we were told that Government would continue the silt clearing operations from year to year. But, Sir, owing to the appalling ignorance and illiteracy prevailing in Sind, there was

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no one to insist on Government's spending the full amount of money collected from zamindars on silt clearance. The result has been that the water courses and canals have got miserably silted up, the level at their tails has considerably risen, with the result that water does not go towards the tail on most of the canals. In order to economise money and to escape from the obligation of spending money on silt clearance Government have resorted to one device after another to make a show of carrying water to the tail. The only method by which water can be carried to the tail is silt clearance. Even petty zamindars owning three acres or so of land spend money on clearing silt from the bed of their channels, at their own cost. The very fact that the zamindars continue this silt clearing operations at their own cost shows that under the agricultural conditions prevailing in Sind silt clearance is very necessary, and cannot be avoided at all; and in spite of what the Honourable the General Member may say, to the contrary, silt clearance will continue to be necessary.

As I pointed out, the Fuleli Canal has nothing to do with the Barrage. and in fact this is the canal that will be adversely affected by the construction of the Barrage. It is some 300 miles down below Sukkur, near Kotri. When the Sukkur Barrage project was before the House for the first time, the public all over Fuleli got alarmed at what the Government were contemplating, and they sent petitions and memorials against the Barrage project and asked for guarantees that their condition would not be impoverished by the construction of the Barrage. As usual with them, Government sent out their propaganda officers, among them their canal officer. Mr. Shoubridge, to Hyderabad with instructions to give us every assurance on behalf of Government that our interests would continue to have the attention of Government and that Government would do everything in their power to protect our interests. Mr. Shoubridge told us distinctly that Government would see that we were not affected by the construction of the Barrage. Then, Sir, the Honourable the General Member and every responsible Member of the Government, have been telling us—and it is on the record—that if we are affected by the construction of the Sukkur Barrage they would give us land in the Barrage zone, in order to compensate us. The Honourable the General Member is shaking his head; probably he does not know or does not remember what has happened in the past. These were the specific conditions on which the zamindars of Lower Sind agreed to the construction of the Sukkur Barrage. Now Government know very well and realize that the Sukkur Barrage is bound to affect conditions in Lower Sind; and therefore in one shape or other they are trying to reduce our water supply from now so that when the time comes they may tell us that conditions on the Fuleli have not changed.

You, Sir, will be surprised to hear that last year the Honourable the General Member brought a motion before this House for a grant of Rs. 50,000 for "improvements" to the Fuleli Canal. That was a new item and it was shown in the budget. It was specifically mentioned that the sum of Rs. 50,000 was required in connection with part of a scheme

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for re-sectioning the branches of the canal which was estimated to cost Rs. 1,60,000. Somehow or other I suspected that the amount would be utilised to reduce our water supply, and I opposed the grant on the ground that it would be utilised to curtail our water supply by reducing the Karia heads. The Honourable the General Member assured me that it had nothing to do with *kharia* reductions. In my ignorance of the ways of the Public Works Department, I did not understand that they had another word in their language, namely modules, for Karia reduction and I remained satisfied with the assurances given. But when I got back to Sind, I found the engineers there collecting material for building modules and everybody was surprised. When the Honourable the General Member visited Mirpurkhas a strong deputation of three Musalman and two Hindu zamindars waited upon him, but you will be surprised to hear that he would not listen to us; he gave one thousand and one explanations. I am sure if I had asked the Honourable the General Member last year at the time of the Budget discussion whether the amount was going to be utilised for constructing modules he would have specifically said that it would not be so utilized, but I did not suspect and remained satisfied. Any way, Sir, the Honourable the General Member gave no satisfactory reply and therefore a deputation headed by Rao Bahadur Hiranand came to Bombay and waited upon His Excellency; the Honourable the General Member and the Secretary of the Public Works Department were present, I believe, at that interview. I regret to say that our deputation did not get a reply as satisfactory as we expected. Now this year again a further sum of Rs. 50,000 is shown in the budget as required for "improvements" to the Fuleli Canal. I am sure any honourable member, who reads it, will not suspect that it is required for modules. The Public Works Department carry out nothing in a straightforward manner. They should have stated that this amount, or any portion of it, however small or however big, is going to be utilised for the purpose of constructing modules. Sir, from the year 1920 every zamindar representative here has been protesting against the insufficient water supply in Sind against the very small amount that is every year provided for silt clearance, but no attention has been paid to it, and no amount is shown specifically in the budget estimates for that purpose. What is our position? The position is that on the Fuleli, every year we are suffering very much owing to shortage of water at the time the transplantation of rice seedlings goes on, and that is when we want water most, namely in the months of May and June. At that time of the year the reading of the water-gauge at Sukkur is 7 feet. When the Sukkur Barrage is constructed the reading on the upper side of the Barrage will be 11 feet and on the lower side that is on the Fuleli side it will be 3 feet; and if that is the case what our position will be when the Barrage is constructed and its canals flow, can better be imagined than described. Instead of increasing our water supply, the Honourable the General Member has already started on the Fuleli the work of accustoming us to shortage of water by constructing modules. He is anticipating events and it is therefore I demand that modules should not be constructed at

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all on the Fuleli system. When the Barrage is constructed, there will be a great difference in regard to the water supply in the Fuleli, because the upper level at Sukkur will be 11 feet and the lower one only 3 feet, instead of the present 7 feet.

Mr. C. S. C. HARRISON : May I ask the honourable member how he gets 3 feet on the lower side of the Barrage ?

Mr. NOOR MAHOMED : Well, that is the opinion of Mr. Shoubridge, the late Chief Engineer himself and I hope the honourable member will be satisfied with this explanation inasmuch as Mr. Shoubridge was as responsible a man as the honourable member Mr. Harrison himself. What I want to tell this honourable House is that the water supply in the Fuleli will certainly be reduced by the Sukkur project, whatever the Honourable the General Member may say to the contrary. He will perhaps say that Government are not going to reduce the supply of water, but that their object is to regulate the water supply. But I maintain that this is not at all the real situation. So, Sir, I suggest that no steps should be taken to construct modules on the Fuleli Canal until the Sukkur Barrage scheme is completed, so that we may all know how we are going to stand on the Fuleli, in the changed circumstances. We all know how the Sukkur Barrage project was sanctioned. People in Lower Sind believed that it was risky to spend money on that project, they knew they were in the danger of losing even their present water supply : and naturally they protested against the project itself and the Government lost no time in sending their propagandists to tempt us, on the Fuleli, and to induce us to approve of this project, and the people after all gave in, accepted the assurances given and consented to the project. But what is our experience now ? Having once got our consent the Government have become bold : they do not care for public opinion, they do not care for the assurances given to us. But I venture to suggest that Government will do well to wait till the Sukkur Barrage is completed so that Government may see and we also may see for ourselves what the new conditions are. We shall then be in a proper position to consider the question of modules ; till then we should not carry out the work of constructing modules. With these words I move this motion and request the honourable members to believe that this is a motion which the entire population on the Fuleli approves of. I hope the House will accept this motion.

Question proposed.

Mr. ALLAHBAKSH WALAD KHAN SAHEB HAJI MAHOMED UMAR (Sukkur District) : Sir, I rise to support the motion moved by the honourable member, Mr. Noor Mahomed. Sir, I may tell this House that this question has been raised so many times that it never received the support of the people in Sind. When the Honourable the General Member had been to Sind, I asked him whether there will be any reduction of water supply and he told me that he would calculate very carefully and regulate the water supply. I find that whenever there is any new project, we are told in this way, but in the end it is our experience that

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the new projects fail. The methods of the Public Works Department are such that people can take advantage of one canal at the cost of another. That is the policy of that department. I may quote here many illustrations to prove my point that whatever projects are undertaken have proved a failure. For instance, I may refer you to the project of Mirza Canal. What do we find? By this canal the people living on one side got abundance of water whereas on the other side there was shortage of water and people there were put to great inconvenience. Then again, we have got the Raisiwal Canal. The Government wanted to extend this to further four miles and it was met with the result that there was no regulation of water at all. The same thing can also be said about the improvement on the Sind Canal, that was undertaken by Government. I, therefore, request the Honourable the General Member to drop the idea of proceeding with the erection of the Fuleli Canal.

Mr. MIR MAHOMED BALOCH SHAIKH (Karachi City) (Addressed the House in Urdu): Sir, I rise to second the motion of my honourable colleague and friend Mr. Noor Mahomed, the member from Hyderabad, omitting the Fuleli Canals Works, estimated at the cost of Rs. 50,000. All improvement works should be productive and they should provide adequate supply of water. But it is the general complaint of Sind zamindars, that whenever the Government have spent some money on improvements of canals, they have rather spoiled and aggravated the water-supply instead of regulating it properly. Sir, I refer to the new system of constructing modules at sources of some canals. This system limits the water supply and the whole source of water flow is closed and a narrow passage is constructed to allow the water to flow in limited quantities. The result is that poor zamindars do not get sufficient supply of water, and their harvests remain unripe. Many zamindars have complained against this system to the Government, but deaf ears have been turned to their complaints. Lands situated on Dad-wah, its tributary Mubarak-wah have suffered immensely on account of this system. It is true that the zamindars, whose lands are situated at the tails of these canals, complain about the shortage of water, but the module system is not the remedy for it. The fact is that canals bring great quantities of silt or clay, and it is deposited in large quantities at the sources of water tributaries from these canals, hence level is raised and sufficient water cannot flow in lands. The only remedy for this is that silt should be removed and they should be excavated deeper. There is sufficient water in Fuleli Canal, and much of it goes to the waste. I am, therefore, of opinion that money should not be wasted on modules. Another thing, which I desire to mention before this Honourable House is that much of the money that is sanctioned for improvements or repairs, is not utilized for that purpose. Much saving is made and that saving is spent on widening the bunds, which prevent the overflow of water from canals. The bunds are being widened all over Sind simply to give facilities to local officers to run their motor cars easily and smoothly. Journey by motor-cars has become very common in Sind, and even ordinary officers travel by motor cars.

Khan Bahadur S. N. BHUTTO (Larkana District): Sir, I wish to make a few observations on this subject of the Fuleli Canal.

Reference has been made by the honourable member from Hyderabad to the pillage by Government of the zamindars at Karachi and Hyderabad districts outside the zone at Barrage area at the time Barrage projects passed. I find some of the Government officials shaking their heads, but, Sir, it is very well known that there was any amount of opposition to the Barrage Scheme, and at that time it was believed that unless the whole of Sind united over this question, the Barrage Scheme could not be passed by the Council. The zamindars of Lower Sind were given an assurance that they shall be compensated for any loss that they would have to incur owing to Barrage construction at Sukkur. The people affected by the scheme were not satisfied when I told them that such an assurance was given to them by the highest authority in the presidency, they demanded that it ought to be on record. We took the advice of Sir Henry Lawrence and the Honourable the General Member made a statement in this House that if the zamindars of Lower Sind were affected by this scheme they would be compensated. But I now find that the Public Works Department officers have not had the patience to wait till the result of this barrage is seen and it is known to what extent the scheme is going to affect them. Before that is known, they have introduced a new scheme to restrict their water by causing a cut of their supply by putting modules.

I know there have been conferences in connection with considering the Public Works Department policy and system in Sind, to which officers only were invited and these conferences represent only one-sided opinion, because it is a known fact that Government officials only were invited to these so-called conferences. I might in fact call these conferences "official versions". The Commissioner in Sind invites all the Collectors of the districts and Public Works Department officials and they together between themselves decide our fate behind our backs. Is it not fair that on a question like this Government should give an opportunity to the other side to put their case before them in order to arrive at a fair and just conclusion where people are affected and that they must be given full hearing in a question which is a life and death question to them. I regret to find that different system of reduction of karias is now contemplated. I would put it to the Honourable the General Member and ask him how he would take it if he was deprived of his legitimate income of rent from his house at Bombay. Would he accept such a position as just and fair distribution if that rent of his is distributed among smaller landlords.

The real difficulty which I wish to bring to the notice of the Council is that the zamindars at the tail of the Fuleli Canal do not get sufficient water, because it is in such a hopeless state that it is impossible to take water to the tail-zamindars unless that is thoroughly cleared; it has been silted up for years, no clearance is done and the duty of Government is to improve the tail to carry water to tail people and not to see to the supply of those on upper reaches. Unfortunately the climate of Sind does not permit it; otherwise, I would challenge any responsible officer

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here to go to Sind in the hot weather in the months of July and August and see for himself what amount of water can be taken to the tail end of the canal by closing karias in upper reaches. I am positive that not even one-fourth of the supply so saved could be carried to the tail. The tail-end zamindars will not profit and at the same time all that water will simply be wasted at the great sacrifice of upper zamindar. All the money is spent on other improvements, instead of tail clearance. Why should Government cut off the supply of water of zamindars by reducing the karias? There is no justification at all. Unless there is proper clearance, it is impossible to make available water for the tail zamindars. The tails of canals are raised so high from the mouth and at clearance that the level is 2-3 feet above the level of the head of canal. In those circumstances, how is it possible that the water can be taken to the tail.

Sind is known to be a very loyal province, but I am sure that if a revolution were to take place in Sind it would be due simply to the unjust and weak policy of my honourable friend, the General Member. On so many occasions police forces are supplied while putting sholes to the zamindar's karias. Hundreds and thousands of people are driven to discontent and distress. How long are the people to tolerate such a state of affairs? If not mended in time, this discontent would only lead to a disaster, and I think therefore that it is high time that Government realised the error of their policy. On one hand starvation and on the other hand prosecutions, distress and disgrace: people can not stand all this nonsense for long.

Sir, there have been representatives of the people sitting here as members of this honourable House particularly after fresh reforms ever since 1921 and yet not a single representative of the zamindars or the people has brought or favoured the question of karia reduction or modules. Only one of them have been up against this policy. Almost every one of these representatives who are here has got lands at tail as well. It is not difficult for Government officials to produce figures and try to convince the Council that they are sincerely and honestly doing their best in the interest of the people at tail. We should not rely much on the opinion expressed by them as it is most misleading. It is to carry this point that they make head and tail question. For all these reasons, I say that Government should accept the motion before the House.

(After recess.)

The Honourable the PRESIDENT: If no one else is going to speak, I shall call upon the honourable mover to reply.

Mr. NOOR MAHOMED (Hyderabad District): Sir, I have nothing more to add to what I have already stated. This is a question in which, as I say, every community and every interest, whether it be of the labourer or of the zamindar, is involved, and I hope and trust that every section of the House will vote upon the merits of the question, and will bear in mind the loss the construction of modules will occasion to the people of the Fuleli. As regards the position that I have taken up to-day, it is absolutely fair. We do not ask the Government to do anything which is unreasonable; we are simply asking them to wait and see

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the results of the Barrage, as to how far it is going to affect us, on the Fuleli Canal, before further works of this nature are undertaken. I trust that the Government will take these things into consideration, and not proceed with a policy to which every zamindar and every agriculturist is opposed.

The Honourable Mr. COWASJI JEHangIR : Mr. President, I had no idea that the debate was going to collapse as it has done. I intended to speak in the middle of the debate, to enable honourable members of this House to hear my case, before I made my concluding remarks. As it happens, this is the only opportunity I will have of speaking on this motion, and therefore I shall have to explain the whole position to the honourable House in these my concluding remarks.

Mr. JAIRAMDAS DOULATRAM : Sir, members on this side are under a difficulty. We did not know that you were calling upon the honourable mover to reply. As a matter of fact, the honourable member Mr. Narandas was about to get up and speak.

The Honourable the PRESIDENT : I distinctly said that if no one else is going to speak I call upon the mover of the motion to reply.

Mr. N. A. BECHAR : I got up to speak, Sir.

An Honourable MEMBER : The position can be reconsidered.

The Honourable the PRESIDENT : That is impossible ; the Honourable the General Member will continue.

The Honourable Mr. COWASJI JEHangIR : I take it I am making my concluding remarks. In these concluding remarks I shall take the opportunity of explaining the whole case to the honourable House.

First, let me tell the House that this is not a new work ; this is a work in progress. There are many honourable members who have joined us for the first time, and it might be as well to explain exactly what is the difference between a work in progress and a new work. A new work always appears in the Blue Book, to specially draw the attention of honourable members that Government propose to undertake such and such a work. When the House has once sanctioned that work, the work proceeds, and the annual amount required to carry on the work appears in the White Book, and no further reference is made to it in the Blue Book. This is a work in progress having received the previous sanction of the House. Several honourable members have already informed this House that the zamindars of Southern Sind have considerable apprehensions as to their fate when the Sukkur Barrage scheme will be completed. They believe that their supply of water may be considerably decreased. Naturally, Government desired to examine their point of view carefully, and did so. Mr. Shoubridge, who was Chief Engineer in Sind, examined the problem from every point of view, and wrote more than one report on it, which satisfied the engineers that the project would do no harm to the zamindars of Southern Sind. But the zamindars were not satisfied with those reports, and Mr. Shoubridge was asked to meet them in conference in Sind, and explain the whole position.

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He did so. From the records I find that he was able to show to the zamindars conclusively that the project was not prejudicial to their interests. Moreover Government at the request of the zamindars undertook to improve some of the canals which were not in the Barrage zone immediately, that is, even before the barrage project was completed. The Fuleli canal was one of those canals. An estimate was prepared and sanctioned in 1923 to improve the Fuleli. The estimate was for Rs. 2,56,000. It was divided into two parts. The first part was for raising and strengthening the banks of the canal. This honourable House sanctioned Rs. 1,00,000 for this work and the work has been completed. The second part of the scheme was to re-section the branches of the canal. For that work Rs. 50,000 appear in the current year's budget and was sanctioned by the House last year. It was during that debate that my honourable friend Mr. Noor Mahomed asked me a question whether that amount included any provision for *karia* reduction. I told him that it did not. I stand by that statement to-day. Whether I will be able to convince any of my honourable friends the zamindars is a matter about which I have great doubts. But I feel confident that I will be able to convince my honourable friends opposite that *karia* reduction is not exactly the same as moduling. *Karia* reduction is a measure to decrease the supply of water to certain *karias*, that is, to certain zamindars. Moduling is a method of regulation which gives each zamindar his proportionate supply of water. (Interruption.) No : actually on the Fuleli canal moduling might have the effect of increasing the supply. Each module on the Fuleli will be so constructed that it will give to each zamindar a water supply equal to an average of the last five years.

Mr. F. J. GINWALLA : How the average of the last five years is to be calculated ?

The Honourable Mr. COWASJI JEHangIR : I will come to that later on.

This project the estimate of which is Rs. 2,56,000 coupled with the new regulator that has been constructed at the mouth of the Fuleli at Jamshora will enable a larger quantity of water to pass down the canal. I am informed that the larger quantity will be 250 to 450 cusecs. It is the duty of Government to see that the extra supply is equally distributed throughout the canal, that is to say, that that extra supply is no longer given to zamindars at the head of the canal, but that some portion of the extra water supply for which the taxpayer will have paid about 11 lakhs of rupees goes also to some of the zamindars at the tail. Therefore it is necessary to regulate the supply of each zamindar and it does not necessarily follow that the regulation will give the zamindar any less quantity than what he is getting now. As a matter of fact we are in a position to assure every zamindar on the Fuleli that by this module system he will get a supply equal to an average of the last five years, and even a little more. Therefore, Sir, there is some difference between *karia* reduction and moduling. If Government find that there are certain canals on which no improvements are to be effected and that the zamindars

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at the tail get no water and the zamindars at the head are getting a supply which is larger than what they are entitled to, they can go in for the method of karia reduction. That is to say, they can reduce the head of the karia through which the water passes on to the zamindari lands. By that method some of the water is spared to go down to the tail. That is karia reduction. When Government spend a large amount of money to remodel a canal and improve its supply, such projects always include the construction of modules, so as to enable Government to regulate the supply and especially to see that the additional supply is not taken away only by a few zamindars. That is the main difference between modules and karia reduction. Modules does not necessarily mean a reduced supply, while karia reduction does.

Mr. JAIRAMDAS DOULATRAM : If the expectations of Government with regard to moduling fail and the zamindars at the head get less water than what they have been getting it would be tantamount to karia reduction.

The Honourable Mr. COWASJI JEHANGIR : Although it interrupts my speech I will straightaway explain it. That is exactly the apprehension of my honourable friends, viz., that they will get less water than they get at present. That is why they are strenuously opposing it. To meet their objection Government have made a concession, viz., that modules will be placed on two small distributaries in the current year and next year. If by this the zamindars at the head find that they are getting a smaller supply, Government will reconsider the policy of re-modelling the Fuleli. Engineers are convinced that the zamindars at the head will not get less than the average for the last five years.

I was just explaining the difference between karia reduction and modules. Perhaps some honourable members may not know what exactly a module is. I am not an engineer and I will not be able to give a scientific explanation. I have seen a large number of modules and I will explain as one layman to another. It is a masonry construction of the shape of a V which automatically regulates the quantity of water passing through it on to the zamindari land according to the height of the level of the water in the main channel. Each zamindar then gets his proportionate supply. A zamindar may be entitled to a certain number of cusecs. The module is so constructed that the zamindar will get only that number of cusecs of water and no more. It is a mechanical method of distribution of water which cannot be tampered with. At present in all the old canals there are karia heads, some of which are pucca and some katcha. It is a well-known fact that these karias can be easily tampered with.

I make no allegation : I only make a statement of fact that they can be tampered with. I also make a similar assertion that in the case of modules it is not possible to tamper with them. Sir, I have explained the difference between modules and karia reduction. The sum of Rs. 50,000 which was in the budget last year, and which was passed, was for the second part of the scheme for re-sectioning the branches of the canal. If the branches of the canals are not re-sectioned the full quantity

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of water that passes through the mouth of the canal will not pass down the canal. If the work is stopped now, the full quantity will not pass down, and my honourable friends the zamindars on the Fuleli will be the sufferers. It also includes a small amount for these modules in order to regulate the supply. My honourable friends the zamindars know that nowadays when Government spend the taxpayers' money—after all it is the taxpayers' money—on the improvement of any canal, they are bound to provide for modules in those projects : in all canals which can be called new canals, modules are now being provided. Therefore, I cannot conceive of any honourable zamindar member in this House, who knows irrigation in Sind, not realising that when Government are spending Rs. 2,50,000 to bring in a larger supply of water into the canal that the project will not include a few thousand rupees for modules. What would be the result of having no modules ? The result would be that the extra 250 to 450 cusecs that would be brought down the canal would go to a few zamindars at the head and the tail zamindars who have been suffering for years, starving and crying for water, will go on starving and crying for water and the sum of Rs. 2,56,000 for improvements and Rs. 8,00,000 for the regular will have been spent for the sole benefit of a few zamindars at the head. It is inconceivable to me that any project for the improvement of a canal nowadays will not include a provision for modules. In the Punjab all canals, I am informed, have modules, and no zamindar in the Punjab ever raises a complaint against having modules on the new canals. Of course, irrigation in the Punjab is far more advanced than it is in Sind, and I believe the benefits of irrigation are better appreciated in the Punjab than they are in our province. But notwithstanding that fact, it is an argument which my honourable friends must consider seriously, *viz.*, that there is no canal newly constructed or newly remodelled in the Punjab which does not have modules. I was speaking the other day to a Civilian from the Punjab, and he told me that it was ridiculous to consider or think of any canal not having modules, and no zamindar in the Punjab would ever raise any objection.

Mr. MIR MAHOMED BALOCH SHAIKH (Addressed the House in Urdu) : Sir, on a point of information. Is there at present any water in the Fuleli canal running to waste towards the tail ?

The Honourable Mr. COWASJI JEHangir : Only during certain times of the year that would happen, but the fact is that if this work is carried out a larger quantity of water will pass down the canal at the most critical time of the year when the water is most required.

Mr. MIR MAHOMED BALOCH SHAIKH (In Urdu) : Sir, I wish to know.....

The Honourable Mr. COWASJI JEHangir : I cannot have these cross questions interrupting my speech.

Mr. NOOR MAHOMED : Sir, on a point of information. The Honourable the General Member made a point with regard to the eight lakhs spent by Government on the construction of the regulator at Jam Shoro. May I know whether it was not constructed by Government

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because the old regulator was a useless one and had to be replaced in the circumstances by a new one ?

The Honourable Mr. COWASJI JEHangIR : Mr. President, my honourable friend Mr. Noor Mahomed is perfectly right. The old regulator was replaced by a new one, because sufficient water did not pass through the mouth. But was it not for the benefit of the honourable members sitting on the opposite benches ? Government spent 8 lakhs of rupees to construct a new regulator because with the old regulator sufficient water did not pass through the mouth of the canal. Was it only for the benefit of those who are lucky enough to have lands at the head of the canal ? Let us be open and let us be frank ; let us come down to brass tacks, if I may use that expression. We all know it, my honourable friend knows it, and the House will know it.

Mr. NOOR MAHOMED : Sir,.....

The Honourable the PRESIDENT : The Honourable the General Member does not yield.

The Honourable Mr. COWASJI JEHangIR : Sir, we have been told that the water would pass down the whole length of the canal if there was more silt clearance. For generations even in pre-British times, lakhs of rupees have been spent for silt clearance, and even in to-day's budget there is provision for silt clearance. But as we live we learn, and our engineers, as they live, I trust, accumulate knowledge, and the result of that knowledge is that they have come to the conclusion that Government are wasting the taxpayers' money in spending large sums in silt clearance. The object of silt clearance is to pass the water down to the tails, but the tails have been suffering notwithstanding the silt clearance. It was about 12 years ago that the engineers began to think that there must be some other method of getting the water down to the tail. We used to spend lakhs of rupees on silt clearance, but within a short time of the clearance the silt was there again ; nobody benefitted except those at the head. Therefore, they came to the conclusion that the only reason why the water did not pass down to the tail was that a larger quantity than they were entitled to was drawn off by the zamindars at the head.

Mr. President, I do not say that silt clearance is not necessary in Sind under any circumstances. The policy of proper distribution *cum* silt-clearance is the policy that Government have adopted, but to have merely silt-clearance and no policy of proper distribution is to benefit some only at the cost of others. There is a provision for silt-clearance in the budget and I believe it will continue, but there will be a policy of equity and justice for all zamindars, whether they be rich or poor. That policy will continue whatever happens. The cry of distress from the tails of canals is not the creation of our imagination. I can inform the honourable House that I have received deputations from some gentlemen on the tails of canals and they have asked for modulus. I have seen them personally in Sind and I have now received telegrams to remind me that it is time that Government listened to the multitude

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of zamindars who happen to be unfortunate enough to have been impoverished on account of the policy of Government. I cannot, being human as everybody else is, refuse to listen to the appeal of those who are voiceless.

MOULVI RAFTUDDIN AHMAD : How many petitions have you received ?

The Honourable Mr. COWASJI JEHangIR : There are about five or six. Therefore, Sir, let me again repeat that Government is determined to go on with this policy, and I trust that they will receive the support of this honourable House. (Hear, hear.)

Now, Sir, let me again remind the House that this expenditure was incurred at the request of the zamindars of the Fuleli. It was incurred because Government found that something must be done to appease their apprehension and at the same time because the expenditure was a paying proposition both for Government and the zamindars. Out of Rs. 2,50,000 I believe Rs. 1,50,000 have been spent.

Further, I may say that my honourable friend, the mover of this resolution, has used strong language. He says that our proposal was not straight-forward. Well, Sir, if he has got a new meaning for the word "straight-forward", then I may say he is right. But if the meaning of the word "straight-forward" is what we all know, then I say he does not understand the meaning of the word. We are straight-forward and it is because we are straight-forward that we desire that all zamindars should have equal benefit from the money spent by the taxpayers. Then there is another young friend of mine who talks about misrepresentation. Now, Sir, I think it is more charitable to believe that my honourable friend does not know the meaning of the word "misrepresentation." It would be advisable for my young friend to refer to Webster. I also trust that next time he addresses this honourable House, he will study that dictionary little more carefully.

Sir, let me now put the case of zamindars themselves. I realise, so also do Government, that the zamindars are apprehensive. They fear that the measures, that we propose entirely for their benefit, entirely for their interest, are not going to benefit them. And let me also admit that I feel that their apprehensions are genuine. If there is any proposal which we are told will take away our bread and butter, we would naturally get frightened. I am, therefore, not surprised if they are frightened. But we may be ignorant—I hope you will excuse me for using that expression, but that is the only expression which properly illustrates what I mean—I say we may be ignorant and if we are frightened, we deserve sympathy. I trust and hope that at least in one year my honourable friends will realise the benefits that this project is intended to bring them, and that they will come forward themselves and ask Government and ask all the honourable members sitting opposite to help them in getting more provisions of this sort in the budget. I believe this will be the last occasion on which we shall have honourable members who are zamindars asking Government deliberately to do away with what in the opinion

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of Government is a good measure. But as I said, it is impossible to convince my honourable friends. I have been trying to do that for the last one year. I have been trying to convince them, but of no avail. Let me tell the honourable members that all the Engineers in Sind, both Indian and European, are unanimous on this point. There is no difference of opinion among them. There is no difference of opinion on this point even among Revenue Officers in Sind.

An Honourable MEMBER : There is.

The Honourable Mr. COWASJI JEHangIR : No, there is not. I deny that fact and I do not want to go further into details. The honourable member sitting on my right, my honourable colleague, who was lately the Commissioner in Sind and whose experience is far greater than most members of this honourable House, will confirm my statement that modules are for the benefit of zamindars themselves and that Government do not desire in any way to injure one single zamindar by the policy they are adopting. Mr. President, I know that this is also the opinion of the present Commissioner in Sind, and I honestly tell this honourable House that I have not come across one single Revenue Officer from the Commissioner downwards, who has warned me or who has told me that Government are taking a step which is not in the interest of zamindars. Therefore, you can believe me when I say that the apprehensions of my honourable friends are not justified.

I again repeat that Government do not propose to desist from their policy of equitable distribution of water in Sind and that moduling will go on on such canals on which it is proceeding and on all new canals on which we shall spend more money from the taxpayers' coffers.

Now, Sir, Government have realised that the apprehensions of my honourable friends are genuine ; they would not speak as they have if they did not feel strongly. They would not appeal to Government to stop this work. Government realise that it is entirely for their benefit. Government fully believe that by next year the honourable members will be converts to the principle of modulation and that they, the members, will themselves see the benefit of modules. Government had the same trouble with zamindars on the Mitro, but Government find that on the whole those zamindars are now satisfied. Therefore, Government feel that, rather than push this project forward just now against the wishes of the representatives of those who are most interested, they will agree to this cut. But they will agree to this cut only on the understanding that they will bring it up again and that all modules on all other canals will proceed to be constructed, and that Government continue to be committed to the principle and policy of equitable distribution of water on all the canals in Sind.

Question put and carried.

Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Sir, I beg to move :

“ Reduce B-Land by Rs. 55,000.

[Mr. G. I. Patel]

This, Sir, is a cut of Rs. 55,000 out of a total of Rs. 5,55,000 which stands under the subject B-Land on page 137 of the Blue Book. An amount of Rs. 55,000 may be very safely reduced out of the total of Rs. 5,55,000 and I do not think there will be any inconvenience in reducing this amount out of this very big sum. As everyone of us is very anxious to effect economy of money and time, I shall not go into the details of the cut as they have been laid down on this same page. With these few remarks I would ask the Honourable the General Member to accept this small cut of Rs. 55,000 out of a total of Rs. 5,55,000.

Mr. C. S. C. HARRISON : Mr. President, I would like to explain to the Honourable Members that if this cut is made, it simply retards the work. The amount that we have estimated for land is the amount that has to be paid in compensation for the land that has to be occupied by the canals and their branches and distributaries, so that if this cut is made and we subsequently require that money, then the work will be retarded if it is not forthcoming. I do not think the Honourable Member wishes the work to be retarded. I think he is out on that quest for economy. I can assure him that this reduction would not effect economy at all. On the contrary such reduction would spell false economy. The question is, therefore, of necessary acquisition of land pure and simple.

Mr. NOOR MAHOMED (Hyderabad District) : Sir, I beg to point out one or two small matters in which economy can certainly be made under the head of acquisition of land. The note in the Blue Book says that the money is to be paid for compensation for land to be acquired and includes the establishment employed on land acquisition and surveys. As I pointed out yesterday, when a similar item was discussed, a special officer has been appointed for the survey of the barrage area. I have already said we have got a Superintendent of Sind Surveys, who has got practically no work on account of large areas being under the barrage zone. The Superintendent of Sind Surveys has no work and therefore the work of barrage area surveys should be transferred to that gentleman. My other point is that Government have appointed deputy collectors to do the land acquisition work. It is not necessary at all to have deputy collectors as the work done by them is the same as is done by the mukhtiarkars, and certainly retrenchment could be made if the revenue officer of the Lloyd Barrage is consulted in the matter. I feel that it is no use maintaining deputy collectors as Land Acquisition officers who are doing exactly the same work as Mukhtiarkars in exactly the same proportion as land acquisition officers and nothing more. Very great economy could certainly be made in this matter. A lot of money is being wasted by having these Deputy Collectors and it could be saved. Therefore, I support the motion.

Mr. J. W. SMYTH : Sir, I understand from my honourable friend on the right, the Chief Engineer, that the survey officer of the Public Works Department who maps out the area which will be required has already a full day's work and that it would be quite impossible for him to undertake

[Mr. J. W. Smyth]

what I understand the honourable member (Mr. Noor Mahomed) to mean, namely, the work of acquiring the land. The land acquisition staff has had to be increased steadily in consequence of the increasing amount of work which is falling on it owing to the fact that the canals are being excavated by the draglines at such an extraordinarily good pace. I think perhaps that it will be convenient if I give to the Council the figures in regard to the amount of land which is being acquired. The total occupied area of the project is approximately 91,000 acres, of which 15,442 acres have already been acquired and compensation paid for. These are the figures up to 31st December last. There is a balance remaining of 75,500, of which about 7,000 acres are expected to be acquired in the first three months of this year, that is, within the financial year, leaving a net balance of about 68,000 acres. The average rate of acquisition is about 20,000 acres a year, and for the purposes of the work we have at the moment sanctioned a staff of three deputy collectors and twelve mukhtiarkars. Government are fully aware of the point which the honourable member from Sind made in regard to the fact that the work is being done partly by deputy collectors and partly by mukhtiarkars, and that particular point is now under investigation.

It is possible that Government may decide that mukhtiarkars may be able to do it all, but I am not prepared to say that this will be the decision of Government. I can only say that the matter is under consideration.

Perhaps, honourable members have already seen from the Blue Book what work has already been done in regard to land acquisition. In regard to the Barrage proper at Sukkur, the townships, work-yards canal heads have all been acquired and practically all that remains now is to acquire the land required for the new supply channel of the Eastern Nara. The principle on which the Engineers are working is that when they are ready to acquire new tracts, *i.e.*, when their draglines are brought to those points, then they make a demand that land should be acquired.

Similar progress has been made both on the left bank system and on the right bank system, and the result is that the land acquisition staff is simply maintained to meet the requirements of the Chief Engineer. In other words, as a canal advances, so the land is acquired, and so the cost of the land acquisition staff must be proportionate to the amount of work that is to be done.

Mr. N. A. BECHAR (Karachi City): It was not my desire to take part in this discussion, but from the speech which the honourable member the Revenue Secretary made, I understand that the matter is already under consideration. Having once sanctioned the whole scheme of the Lloyd Barrage, it is really up to those who carry out the scheme to know the exact details and to carry on the work as economically as possible and in that spirit, I should certainly say "Go ahead," but the only apprehension on the non-official side is that some extra amount of money is being spent on staff. In view, however, of the undertaking given by the Revenue Secretary that he is going to look into this matter carefully,

[Mr. N. A. Bechar]

I believe my honourable friend the mover will be well advised to withdraw this motion.

Mr. G. I. PATEL (Ahmedabad Millowners' Association): Sir, in view of the explanation that has been offered I beg to withdraw the motion. I must say that in the first instance I was not inclined to move this motion at all, but when I found my honourable friend the General Member making a rhetorical speech on a different point and at the last moment I found something else, I was tempted to move this cut. I moved it, as it were, to see how far, if I was supported by the honourable member Mr. Noor Mahomed, the Honourable the General Member was prepared to accept my cut of Rs. 55,000 and whether I was going to hopelessly fail, but, Sir, with the assurance given that this question is under consideration, I beg to withdraw the motion.

Question put and leave granted.

Mr. B. G. PAHALAJANI (Western Sind): May I rise on a point of order, Sir. All these items Nos. 62, 63, 64 and 65 relate to Barrage Works. Then we come to items 74 and 75 which also, I believe, relate to Barrage Works. I would like to have your ruling as to which of these can be moved first, whether the smaller cuts have to be moved first or the larger cuts have to be moved first.

The Honourable the PRESIDENT: The point is that difficulty has been felt in the office because of the items appearing in various budget books, some appearing in the Public Works Department budget estimates and some in the Blue Book and some in the White Book. Therefore, all that the office could do was to arrange them in the order that has been presented there. It is for the Honourable the General Member to regulate which should be taken up in consequence.

Mr. JAIRAMDAS DOULATRAM: I think members on the non-official side would be rather unfairly treated if the Honourable the General Member were to be given sole discretion in regulating the order....

The Honourable the PRESIDENT: I meant that the Honourable the General Member should suggest the regulation of it.

The Honourable Mr. COWASJI JEHangIR: Sir, we have got to go according to the rules. The confusion has arisen, if I may say so, not due to my department or to the Honourable the President's office, but due to the way cuts have been made. The honourable member, Mr. G. I. Patel, seems to have been very energetic. What he seems to have done is to have taken a blue pencil and the Blue Book and wherever he found figures, he went on saying "reduce by 25 lakhs." "reduce by 10 lakhs." He did not take care to see whether he had already reduced any of the figures, but went on reducing the same figures from different parts of the same budget. That is why the difficulty has arisen. Here he says "reduce by 5 lakhs"....

The Honourable the PRESIDENT: I would remind the Honourable the General Member that there is a point of order raised. A difficulty is felt and it has to be briefly pointed out as to whether that can be skipped

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over, or whether the order in which it is placed is correct. We should then proceed according to that.

The Honourable Mr. COWASJI JEHangIR : We proceed according to this order. As soon as we find that there is overlapping, we shall try and point it out. As soon as we find that one cut is disposed of and it is again proposed, I will try and point it out.

Mr. B. G. PAHALAJANI : My question has not been answered by any one. My question is, do items 74 and 75 relate to the Barrage ?

The Honourable Mr. COWASJI JEHangIR : They do partly. Rs. 1,55,59,000 is the amount under item 75. It consists of the following amounts :—

				Rs.
Lloyd Barrage	..	..	..	1,53,00,000
Fuleli Improvements	..	..	..	50,000
Construction, Second regulator, Western Nara	..			88,000
				35,000
Small survey works	..	..	..	9,000
Extension tails	..	..	..	5,000

and so on

Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Sir, my honourable friend the General Member seems to have taken no account of the difficulty under which we were labouring. I received this budget on the 13th February. I spent two midnights in studying it as far as possible and in trying to find out where cuts are necessary and in sending them to the office as early as possible in these two days. Instead of looking to the energy we spent after this by wasting midnight oil and at the same time coming to this hall to see how far our efforts are effective, we are being congratulated (criticised) on the manner in which these cuts have been suggested.

The Honourable the PRESIDENT : Does the honourable member move his cut ?

Mr. G. I. PATEL : Therefore, I have placed this motion before the House, with a view to seeing if it is possible for the Government to accept this small cut from the total amount. We feel, Sir, that the time of the House would be saved, if we know that we are able to secure at least a fractional part of the object for which we are sitting on this side of the House. Therefore, I formally move this motion.

Reduce C—Works by Rs. 5,51,000.

The Honourable the PRESIDENT : The motion is that the amount of Rs. 30,51,000 under C—Works, on page 137 of the budget be reduced by Rs. 5,51,000.

The Honourable Mr. COWASJI JEHangIR : Mr. President, I sympathise with my honourable friend in the difficulties that he has encountered. I quite realise that if I had been in his position, I might have been more muddled than he was. It is not easy to follow this budget, and I think he has shown considerable industry in picking out every

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figure that he could find in the budget and by proposing a reduction in each. I should think his object was, to see if there was any one reduction that would fit in, or that he should give notice of many motions, on the chance that one might come out correct. But this is not one of the correct ones. Now, let me draw the attention of my honourable friend that the Finance Department have cut out Rs. 25 lakhs to start with, and they gave an undertaking to this department that if any part of that Rs. 25 lakhs was required, they would go to the Council or supply it somehow. That will be seen in the budget. If honourable members will take the Blue Book and look at page 137, they will find that the budget estimate was for Rs. 1,78,33,000. The Finance Department cut out Rs. 25 lakhs to start with, and said "You can budget for Rs. 1,53,00,000." While all the details are for an expenditure of Rs. 1,78,00,000, the amount that will be sanctioned by the House will be Rs. 1,53,00,000. Therefore, it is difficult to accept any further cuts. But my honourable friend may rest assured, and the House may rest assured, that, as has been the experience of this House in the past when they have budgetted for a certain amount and we have not been able to spend it for some reason or other, we have informed them that we have not been able to do so. In the Blue Book, my honourable friends will see the reasons why we could not spend the amount that the House budgetted for during the last year. The machinery did not come out; something else happened; the staff that the Chief Engineer hoped he would be able to employ to push on with the work was not employed; therefore we returned that money. In the same way, just now Rs. 25 lakhs have been cut out by the Finance Department, and it is not possible just now, in a huge work of this kind, to say that we can accept any cuts. If the money cannot be spent it will not be spent. But the details of every item are in the Blue Book, and if there is any item that is in their opinion unjustifiable, if they point it out to us, not necessarily in this House, but privately. I assure them that we will give it the most careful consideration. It is not necessary that they should do it in this House; they can do it outside. The zamindars in this House will tell you, Sir, that I have discussed with them questions with regard to some buildings last year, but not in this House. We sat down outside the House; we asked for their advice, we took it, and we changed the programme a little bit. Therefore, if any honourable member comes forward with any opinion as to any details we shall be very pleased indeed to hear what he has to say.

The Honourable the PRESIDENT: The motion that I have to put to the House is that Rs. 5,51,000 be reduced under C-Works.

MOULVI RAFIUDDIN AHMAD: Has not the honourable member Mr. Patel the right of reply?

The Honourable Mr. COWASJI JEHANGIR: I did not know whether I was making a final reply or not.

The Honourable the PRESIDENT: Does the honourable member wish to say anything? All that I am aiming at is to save time in these

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small matters. If there is any other honourable member wishing to speak on this subject, he may do so.

MOULVI RAFIUDDIN AHMAD (Central Division): Sir, this department of the Honourable the General Member is a hydra-headed monster who swallows the largest amount of money, and therefore, if we expect any cut at all it is from him. We all know that Honourable Members of Government will always say that no cut is possible. I have never heard a single head of a department coming forward to say that a cut could be made. But if the General Member can, for the sake of the Finance Department, and for the sake of the Honourable the Leader of the House, accept a cut of Rs. 25 lakhs, for the sake of the Council, he might accept a cut of Rs. 5 lakhs. After all, the Council should have greater claim upon his consideration than the Finance Department. I think it would be in the interests of the Honourable the General Member, if he sets a good example to the heads of other departments by accepting one or two cuts proposed by my honourable friend Mr. G. I. Patel. If he will accept some of these cuts, the House would be very grateful to him, and the House will show its gratefulness in many ways. I think it would have been courteous on the part of the Honourable the General Member to have withdrawn the taunts which he flung at the honourable mover.

The Honourable Mr. COWASJI JEHangIR: I never taunted him.

MOULVI RAFIUDDIN AHMAD: You said that he took a red pencil in his hand and went on marking item after item for reduction.

The Honourable Mr. COWASJI JEHangIR: I paid him a compliment.

The Honourable the PRESIDENT: Order, order. There should be no conversation across the table.

MOULVI RAFIUDDIN AHMAD: You will see that, Sir, it always begins from the opposite side. I would like to know whether, for the sake of the Council, he is prepared to accept some cuts. That is all I have to say.

Mr. L. M. DESHPANDE (Satara District): Sir, it appears to me that if the Sukkur Barrage works are to be allowed to go on, small cuts on these items are a waste of the time of the House, because if this work is to be carried on, then the small items that are provided for in the budget will have to be allowed. If any small amount is cut by this House, I think it will be of no avail, because these works are from capital account, and they have very little to do with the revenue account. These works are not charged to revenue; therefore, whatever saving is made, it will be of no avail to the Council, because all this money is borrowed. So, I think honourable members will first look to this, whether any saving that is made, or any cut that is carried by the House is of any use to the House, having consideration for the revenues of the Presidency. If that is not so, I think further motions with regards to small cuts should not be proceeded with.

Dr. M. K. DIXIT (Surat City): Sir, I fail to understand the purpose of these cuts in a work which is being carried on from capital account. If we go on cutting expenditure the staff that has been engaged will have to sit idle. (An Honourable Member: Reduce it). Instead of making these cuts we will do better by requesting the Honourable the General Member to see that the Lloyd Barrage proves successful without entailing another burden on this presidency and without any further waste of time.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Sir, if the expenditure on this scheme is to be met from capital it does not mean that the amount can be spent in any way, because borrowed money also leaves a future liability on the general revenue. Consequently all the items should be carefully scrutinised and we should see how far the scheme is going to be successful and how far it is going to be productive. Perhaps after 5 years we may have another Back Bay which is now sitting tight on our shoulders. If the scheme fails on account of heavy expenditure it means that it will be a liability on the taxpayers not of Sind but of Karnatak, Gujarat and Deccan. The taxpayers of the whole presidency are interested in the scheme and the liability will not be met by Sind alone. Therefore I suggest that if the scheme proves successful the whole presidency should have equal rights in the lands.

The Honourable the PRESIDENT: The honourable member is drifting into the general policy while a particular item is being discussed.

Mr. J. C. SWAMINARAYAN: Therefore economy should be practised in doing these works.

Mr. G. I. PATEL (Ahmedabad Millowners' Association): Sir, my honourable friend suggested that as these works are carried on from capital account we can safely leave them aside. I would request my honourable friend just to consider this question from a business standpoint. We borrowed money for development, we borrowed money for Back Bay and we have borrowed money for the Sukkur Barrage. In the first two schemes we have failed hopelessly and burnt our fingers. At least in the last we do not want to burn our fingers again. On the Development and Back Bay an annual liability of 27½ lakhs we have been compelled to bear, and I do not know whether this will increase further in future. It is just the point on which we have to concentrate our attention and to see that a further burden is not thrown on unborn generations. The old proverb is that "*debt is devil*" and we should try to flee ourselves from it as fast as we can.

In regard to the remarks of my honourable friend the General Member, I would have put greater confidence in his words, but his fear as regards the Fuleli canal has put in us some suspicion in accepting his words freely. Therefore if he believes that this cut will seriously affect his programme of work, I will have no objection to withdraw it. At the same time I think that cuts are possible on big items such as 50 lakhs, one crore and two crores. Such small cuts on big items which I have proposed are in order to sound the mind of Government, as to whether they are going to accept the policy of borrowing less or they are going to

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retrench in their expenditure. It is with this view to see how far cuts are accepted by Government that I have proposed these motions. I find that Government find no possibility of accepting these small cuts on big items. What have Government done now when we have effected a cut of Rs. 11,000 on a demand of two lakhs by the vote of the House the other day? Government still are adamant and they say that they cannot consider any cut. If we carry a cut then they will have to accept. Even you, Mr. President, had to remind us that the grant should be taken as the total demand minus that cut. We expect the Honourable the General Member to save us the difficulty of moving this cut and that cut, and to accept a cut of some odd lakhs from the total demand. I request him to go into the details of irrigation works and find out if there is any item on which he can accept a cut, without the trouble of moving and discussing them.

The Honourable Mr. COWASJI JEHangIR : Sir, I do not know what the Fuleli canal has got to do with this matter. What connection can there be between an expenditure on a canal and capital expenditure on Sukkur Barrage? Just as my honourable friend expects us to respect his feelings, others do the same. I do not think there is any analogy at all between the cut here and the cut on the Fuleli.

The point at any rate that has been made by my honourable friend opposite the honourable member Mr. Deshpande that this is capital expenditure and making cuts here will not help the revenue budget, is perfectly true. I must sympathise with the view put forward by my honourable friend the member for the Ahmedabad Millowners' Association that it is the duty of the honourable House to see that there is no extravagance in the department, that no machinery or tools and plants are ordered out which are not necessary. I admit that it is not possible for a layman to judge whether particular tools and plants are necessary. But it is a duty imposed upon the honourable House and Government. These duties in other countries are properly performed by asking the expert adviser to state what tools and plants will be required for a particular work. That is the position. My honourable friend is quite correct in saying that because it happens to come from capital expenditure that it should not be watched, is not by any means a reasonable point of view. Therefore I sympathise with the efforts of honourable members of this House to try and ascertain whether there is any expenditure which is unjustifiable. All the figures are given in the Blue Book. I think honourable members like my honourable friend Mr. Pahalajani who go into the details with care will admit that this Blue Book is comprehensive (Mr. B. G. Pahalajani : This time.)

As we advance we supply more and more information. Therefore, by cutting out 5 or 10 lakhs of rupees you might retard the work and it would be false economy. I would remind honourable members of their experience last year. The Chief Engineer then thought that he could spend a certain sum of money; he was not unable to do so, and he has given the explanation in the Blue Book. If out of this budget, certain sums are not spent they will not be borrowed. I had occasion once before

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to inform the House of the view I personally took of this matter. If I personally were in charge of a private work, say a mill building, and if I were doing it departmentally, and I found at the end of the year that less money had been spent and the work had not advanced, I would certainly come down on my engineer and ask him what business he had not to spend the money he was supplied with. That is the point that has to be taken care of. Therefore the House has to examine the explanation in the Blue Book as to why the money sanctioned was not spent. The House should ask for an explanation of the Chief Engineer and the Government why machinery was not ordered out in time and why it did not arrive in time. That explanation is given in the Blue Book at page 137. It is explained there why 45 lakhs of rupees were not spent although it was budgetted for. The honourable House as well as the Government—because although it is a reserved department we are jointly responsible—have to see first that the money that was provided has been spent, and spent on the objects for which it was meant. It is for the Finance Department to point out to the honourable House if the department has spent money on any objects other than those specified in the budget. Those are the only points we have to watch. Those are the only points I would like to watch. We expect honourable members to take an interest in details, and we are only too pleased—I know the Chief Engineer is only too pleased—to explain all details. He has come all the way from Sind in order to do so, and I trust honourable members will take full advantage of this presence in this honourable House to ask for any explanations that they may require of the Chief Engineer. That is the object of his visit and he is ready to do so.

Mr. G. I. PATEL : Sir, I beg leave to withdraw the motion.

Question put and leave granted.

Mr. G. I. PATEL : Sir, the next motion I move is :

Reduce C-Works by Rs. 100.

As this is a motion for criticising the policy I formally move it.

The Honourable the PRESIDENT : If the honourable member wishes to raise a discussion of policy, I would ask him to wait ; I will call upon him later on when we come to those cuts.

The Honourable Mr. COWASJI JEHANGIR : Let us have one discussion on the policy.

Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Sir, then I formally move motion No. 67 which runs thus :

Reduce VI-Special tools and plant by Rs. 10 lakhs.

I appeal to the Honourable the General Member to accept any of the motions which I have given in serial order, 10 lakhs, 5 lakhs, 3 lakhs, 1 lakh. The amount of Rs. 24,04,000 under the head Special Tools and Plant is a fairly large amount, and I can make out a case for its reduction. I have some practical knowledge of machinery, tools, etc., for mill works and other purposes, and I can very safely say that when we are ordering out machinery worth Rs. 24,04,000 we should seriously consider whether

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we cannot economise on this head. There may be calculation of percentages; I do accept that; but I wish to point out that we have ordered out machinery worth crores of rupees within the last four or five years and machinery imported for one purpose may be useful for similar purpose in other departments. If tools and plant are imported in Bombay for the work of excavation, they can very well be used in other places; there are certain tools which can be used in common for works in different parts of the presidency. If the question is looked into and examined from this point of view, a lesser amount than Rs. 24,04,000 can be budgeted for. If the Honourable member the Chief Engineer wishes to show us his *bona fides*, I would ask him to accept a lesser amount. I would ask the Honourable the General Member whether he is 'favourably inclined' to accept any of the cuts proposed by me.

Question proposed.

Rao Saheb D. P. DESAI (Kaira District): Sir, at page 150 of the Blue Book I find large amounts provided for Railways and Fleet—27 lakhs and 48 lakhs respectively. I would like to bring to the notice of the Honourable the General Member that since the estimates were made the prices of machinery have come down considerably, and therefore a cut of 10 lakhs can very well be effected from this item of Special Tools and Plant. As a matter of fact I have heard rumours—they are widespread—that a large number of machinery, tools and plant worth about 30 to 40 lakhs are lying idle on the Sukkur Barrage. Those rumours must have some basis; otherwise we would not have heard that tools and plant worth lakhs of rupees are lying idle because wrong tools were ordered which were of no use. So, I think this cut of 10 lakhs can very well be accepted by Government. We do not want 48 lakhs worth of fleet. Do Government want to establish a mercantile navy? Ten or 12 lakhs worth of Tools and Plant should be quite enough.

I am really surprised to find that the Honourable the Finance Member could cut down Rs. 25 lakhs from the estimate prepared by the staff of the Honourable the General Member. This would give us an idea of what an extravagant budget they prepare. They make budgets without proper care and they put down items which could even be reduced or omitted by the Honourable the Finance Member, who is a layman after all. If Government could reduce such items, I wonder why should not such items as are brought forward for omission by my honourable friend for Ahmedabad be accepted by Government. I hope Government will accept the cut moved by the honourable member Mr. Patel.

Mr. MIR MAHOMED BALOUCH SHAIKH: Sir, I want to ask one question. What is the total cost of Tools and Plants purchased till March 1927? (No reply.)

Khan Saheb A. M. MANSURI (Ahmedabad and Surat Cities): Sir, I want to support my honourable friend who represents Ahmedabad Millowners' Association, and my main points are these. I find that the prices of machinery are going down day by day and if Government

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can afford to wait for a year or more, they can get machinery cheaper. My second point is that duty on machinery is likely to be removed and in case it is removed I should like to know from the General Member whether $2\frac{1}{2}$ per cent. will also be utilised for the purpose of purchasing these tools and machinery.

MR. MIR MAHOMED BALOCH SHAIKH (Karachi City) (Addressed the House in Urdu): Sir, I want to place before this House some facts regarding the Sukkur Barrage scheme, which I have seen with my own eyes. I had been to see the work on the Sukkur Barrage, and I find that there is no one to manage the work properly. The work has been going on very slowly and the machinery purchased by Government for this purpose is not very powerful. From the figures mentioned in the budget, we find huge sums spent on the purchase of tools and plant, but if one goes to see the work at Sukkur Barrage, he will find that a large part of machinery is lying idle. When I had myself gone there, the work was not going on and on inquiry I was told that the dredger has gone out of order. If that is the state of affairs, I do not understand why Government should spend large sums over machinery which is not useful for the purpose. Government do not take care to select machinery; the same thing also happened, as you all know, in the case of Back Bay Development scheme. I am therefore afraid that the Sukkur Barrage scheme may also prove a failure just as the Back Bay scheme. If the Honourable the General Member will come with me, after the Council session is over, I shall prove to him the facts that I lay before this honourable House.

The rate for excavator work is from Rs. 6 to Rs. 6½. Here it is costing Rs. 12 to Rs. 13 while other contractors do it at Rs. 8 or Rs. 9. Levelling and sloping, etc., is being done. It is a matter for regret that the work which has been going on since the last three months on blocks is not at all satisfactory. Some 150 stones have been placed on one side and 150 stones on the other. The rate works out at one rupee per foot. If work goes on further, it may cost 12 annas a foot. The block is so brittle that I have brought a sample here to show it to the Council. (A piece of block was produced and broken by the honourable member and there was laughter in the whole Council; the Chief Engineer, Sukkur Barrage, was smiling), I see the honourable member, Mr. Harrison, smiling. Let him smile as much as he likes, but here is a sample of the work his department is doing there. The whole thing is in chaos. There is the Chief Engineer, one Superintending Engineer and 7 or 8 Executive Engineers.....

The Honourable the PRESIDENT: Order, order. The honourable member is now drifting into the general discussion.

MR. MIR MAHOMED BALOCH SHAIKH: The machinery ordered is lying idle, parts are broken, plans for broken parts are prepared and parts ordered. All this does not come to the notice of the honourable members of this Council. Even the Honourable the General Member does not know all these things, as he comes to Sind only once a year. I suggest that a committee should be appointed to go into all these

[Mr. Mir Mahomed Baloch Shaikh]

questions. A sum of Rs. 1,55 lakhs has already been spent. On what? I daresay it has not been spent for the people of Sind or for the people of the Bombay Presidency.

Mr. N. R. GUNJAL, (Poona District) (Addressed the House in Marathi):

The nature of the machinery ordered for the Sukkur Barrage has not been explained to the House in the same way in which similar information was given as regards the Development Scheme. It would be quite necessary and useful if all the members of this Council were to be taken round to see the works in progress on the Sukkur Barrage.

Mr. S. C. JOSHI : Sir, we have been told that at the request of the Finance Department the Honourable the General Member has reduced the total item by 25 lakhs, but we are not told why the Honourable the General Member was asked by the Finance Department to reduce the original budget estimates by 25 lakhs. Sir, we are not also told whether the reduction by 25 lakhs has affected and is likely to affect the work, and if so to what extent. If this reduction by 25 lakhs in the total grant has not affected the work, it is quite possible, *prima facie* that the total grant can further be reduced by 10 lakhs more. If a further cut of ten lakhs is likely to affect the department seriously, the Honourable the General Member should inform the non-official side of the House about it. Information on these points may decide the whole question, whether any reduction can be made or cannot be made.

Mr. B. T. DESAI (Bombay City, North) : Mr. President, from whatever we have heard it appears that this is really a tale of woe. This cut ought to be allowed, and the reasons for which it should be allowed are that the wrong machinery has been ordered out as we understand from the honourable member Mr. Mir Mahomed Baloch, that it was wrongly ordered and it was of no use whatsoever. If that is so and if excuses are found one after another for ordering tools and machinery, then we should put an end to such things. Now, Sir, if whatever has been said by my honourable friend is true then, Sir, this subject demands that an enquiry should be made. We do not want to land ourselves in the same difficulty as with regard to the development, and after so many years and after several promises of very nice returns of 30 crores and 20 crores Members of Government were led into that scheme, and ultimately we know to what disasters that has come to and what loss we have suffered. In the same way we might suffer with regard to this and it is now time that we should ask for rigorous enquiries into these matters and try to find out the truth whether the machinery that was ordered out was really required or not, whether the wrong machinery was ordered out, and to what extent loss has been caused. Of course, this being only a special item of machinery and tools, I do not wish to go into the general matters, but this one thing is quite sufficient to open the ears of the House and also eyes, and the House, I think, must demand an enquiry into this matter and this matter ought to be gone into fully before any grant whatsoever is granted.

- Mr. C. S. C. HARRISON : Mr. President, a good many Honourable Members have spoken on this motion. The Honourable Member from Bombay who has just spoken has apparently had his alarms raised by the honourable member from Karachi. I do not think he has really touched on anything new. So, I will deal first with the remarks of the honourable member from Karachi. He first spoke about the extravagance on special tools and plant. Then he proceeded to discuss in some detail the question of the dredgers. I fear I can deal with only a few of the specific subjects he mentioned, because his very general statements would take too long to traverse. As regards the dredgers, the honourable member has said they are of no use whatsoever, and that as the soil was hard they could not work. I fear he is wrong when he says that the soil is too hard. It is not a question of the hardness of any soil. We have had unforeseen difficulties and such have not been hidden in any way at all. The dredgers were brought to work in silt, and they will work in silt. When we started excavation this season on each bank of the river, we encountered a tremendous lot of matted brushwood and submerged tree trunks : in other words a large accumulation of drift wood which has accumulated during a great period of time under each bank of the river. We have met with this difficulty and have faced it as engineers must always face difficulties. It is very important to map out the season's work when dealing with a river like the Indus, and we have, through the difficulties that have cropped up, had to revise our season's programme of excavation by the dredgers. On one bank we revised our programme for dredger excavation from 45.25 lakhs to 16½ lakhs cubic feet. The dredger has done 16½ lakhs cubic feet on that bank. On the other bank the dredger did 1 lakhs instead of 26 lakhs cubic feet originally forecasted and 13 lakhs cubic feet revised. It is, therefore, quite true that the dredgers could not do as much work as was expected of them. I would like honourable members of this House, however, to realize that there is a great difference between the duties to be performed by our dredgers and those of the Back Bay Scheme. The word 'dredger,' I know, has rather a bad taste in many a person's mouth at present but the Barrage works are not similar to the Back Bay Reclamation work. Our dredgers in Sind are a great deal smaller than the ones used in Bombay. Moreover, there they are only one of the many means to a specific end.

Mr. J. C. SWAMINARAYAN : Were these second hand dredgers ?

Mr. C. S. C. HARRISON : No ; both are new dredgers. I will explain. To most honourable members, the word " dredger " is by now a bugbear. Let me assure honourable members that need not be the case at Sukkur. We expected a certain amount of work from our dredgers and they are unable to give it to us in the specified time. We, therefore, removed the dredgers when advisable from inside the cofferdams and are completing the foundation excavation of the regulators by hand. In other words difficulties have arisen, as they must do in all great works, and we have taken prompt and efficient steps to overcome such difficulties. The excavation of foundations is being done at a higher rate than was estimated for in the original project, but it is not being done at a higher

[Mr. C. S. C. Harrison]

rate than provided for in the revised recapitulation or working estimates. The possibility of this rise in cost has been foreseen. This year we are racing against the time and we shall have to race against time every year.

I am glad to note that the honourable member from Sind, as a past contractor, endeavoured to take an intelligent interest in what he has seen, but he is not putting a correct interpretation on everything he has seen. I would again repeat that we are now working against time to complete the excavation. Masonry work for the regulator foundations has been started and we hope that we shall be able to get all the work put down in our programme for this year finished before the floods compel us to close down till next season. Contracts for completion by manual excavation of the foundations and the laying of masonry have been let. Both the dredgers are at the present moment filling in scour against the sheet piling on the outside of the cofferdams, and they are doing useful work. They have not so far—I would take the House completely into my confidence—they have not so far given the output that we had hoped to get under working conditions. We were getting 2,000 or 3,000 cubic feet per hour and we hoped to get 6,000 cubic feet per hour. Each dredger passed the test to give 8,000 cubic feet per hour, and we did not pay for them until they passed our working tests at Sukkur. I dare say the honourable member opposite (Mr. Pahalajani) will bear me out from his local knowledge when I say that rigorous tests were carried out.

Mr. B. G. PAHALAJANI: (Remarks inaudible) (I will when the time comes.)

Mr. C. S. C. HARRISON: We come next to the question of the dragline excavators. The Honourable Member from Karachi says that he was told that these dragline excavators were working at the rate of Rs. 8-8-0 per 1,000 cubic feet. Let me explain that there are at present no less than six different types of dragline excavators at work on the canals, 31 machines being in commission. A complete and accurate record is kept of the working cost and behaviour of each machine, and I am prepared to give honourable members of this House the average working rate to the second place of decimals in rupees per thousand cubic feet of excavation for each class of dragline excavator up to the time I left Karachi:—

The particulars are:—

				Rs.
The largest size English machines	..	..	..	9·47
Best	..	..	..	6·10
Worst	..	..	..	10·32
The largest size American machines	..	..	..	8·15
Best	..	..	..	7·55
Worst	..	..	..	8·85
Medium sized English machines	..	..	..	7·10
Best	..	..	..	6·95
Worst	..	..	..	7·25

[Mr. C. S. C. Harrison]

Rs.

Medium sized American machines	..	..	9.65
Best	..	..	8.55
Worst	..	..	11.05
Larger sized Diesel machines	..	..	6.00
Best	..	..	4.45
Worst	..	..	7.45
Smaller sized Diesel machines	..	..	5.62
Best	..	..	4.55
Worst	..	..	6.35

The smaller machines, which are known as 'Class 50s' and 'Class 30s' are working at average rates of Rs. 6.00 and 5.62 per 1,000 cubic feet respectively. The former rate is for 7 machines and the latter for 10 machines. The figures I have read out are compiled from detailed history sheets of each machine and I am prepared to show the curves to any honourable member of this House. We have given out on manual labour some work at Rs. 8-8-0 per 1,000 cubic feet, on a smallish canal. The point is that Rs. 9.47 is the cost per 1,000 cubic feet of excavation by the biggest machines of some of the biggest canals in the world but the rate of Rs. 8-8-0 is for a much smaller canal. I am prepared to give the honourable member from Karachi, if he likes to take the contract, or to any syndicate he likes to raise, the excavation of as many miles of excavation as he requires of these big canals at Rs. 8-8-0 per 1,000 cubic feet. I can only tell him that he has made a great mistake if he thinks we are working at a high rate. I have had tentative offers to excavate the biggest of these canals at the rate of Rs. 18-8-0 per 1,000 cubic feet.

Mr. MIR MAHOMED BALOCH SHAIKH : May I know what is the rate for the work that is being done in Larkana district ?

Mr. C. S. C. HARRISON : I said that for a small canal we have given out excavation at Rs. 8-8 and this applies to such work near Larkana. I have taken the honourable House into my complete confidence. These dragline machines have put hand labour completely out of court, and I am not sure that this fact has not caused a great deal of soreness amongst earthwork contractors in Sind.

I next must deal with the question of the concrete blocks at Sukkur, the quality of which he derides and of which he has dramatically produced from his pocket a piece of mortar wrapped in a handkerchief. As I mentioned before, the honourable member has been a contractor and he has, therefore, a certain amount of knowledge, but he should not misjudge facts through the limited knowledge he possesses. He may be a very excellent contractor for a big building, but I doubt his competency for a work of this magnitude. The blocks that he says he saw lying broken there, were broken in my presence for the purpose of experiment. I stood there one morning, and had no less than 4 to 10 of those blocks broken in my presence as I desired to know for certain reasons the minimum age at which we could remove those blocks from their moulds and we experimented with a large number to see the minimum amount

[Mr. C. S. C. Harrison]

of lime that we must use to cheapen cost as much as possible. We might spend a little money on experimenting with these blocks but as we have to make many thousands of them, experiments are fully justified. If we can by methodical experiments save Rs. 3 to Rs. 4 per block, the aggregate amount of the saving would be many lakhs of rupees.

He further mentioned that ordinary concrete blocks were being constructed by means of very expensive machinery. May I remind the honourable member and other honourable members of this House that we have got to work against time? If we had an indefinite amount of time at our disposal, we might possibly make every single one of those blocks by hand as we could probably make them just as cheap by hand as by machinery. But we have not got the time. We have got to fight against a short working season. As I have mentioned many times before, it is no simple matter to construct a huge Barrage and therefore we have to buy labour-saving appliances—which also mean *time-saving* appliances—and it is for that reason that we have to use machinery in many instances where, in the ordinary course of things, we would use manual labour. I can assure the House that every proposal for the purchase of expensive machinery is put before me and given very careful consideration before it is ordered. The honourable member from Kaira (he is not present here now) mentioned that he had heard that some machinery and plant worth many lakhs of rupees was lying about useless. I deny this completely. To my knowledge, the only machinery that I have ordered to be put in store as of no immediate use to use are some three small engines that we bought for compressing air. We found that they were not powerful enough.

Mr. G. I. PATEL: What is their value?

Mr. C. S. C. HARRISON: About Rs. 1,700 each; they are small machines. Those, I can assure honourable members, comprise the only machinery I have ordered in 3½ years to be stored for eventual transfer. I trust honourable members will not accept as true exaggerated accounts of waste. If they think they have facts let them give me details.

To come to the question of the honourable member sitting opposite, he asked why it was that if we accepted a cut of Rs. 25 lakhs, we cannot accept a further cut of Rs. 10 lakhs or so. The cut of Rs. 25 lakhs was made by the Finance Department and it is a matter that has already been dealt with in detail by the Honourable the General Member.

The honourable member for the Ahmedabad Millowners' Association asked that special care should be taken to see that we do not purchase new tools, etc., when such can be made available by transfer from elsewhere. Every list of tools for transfer published by any Government in the whole of India is received by me, and is circulated to my officers, and we do not purchase anything new until we are satisfied that the items in any of these lists are of no use to us. As a matter of fact we have purchased quite a lot of second hand plant and machinery.

Practically the whole of our railway plant, is second-hand, the exception being a few waggons which were required to be run over the North

[Mr. C. S. C. Harrison]

Western Railway open lines. I repeat we have purchased practically the whole of our railway plant second-hand; including most of the sleepers, and this has resulted in a great reduction of cost. I will continue to exercise the control that the honourable member suggests in seeing that new plant is not ordered if suitable second-hand stuff is available.

The honourable member Mr. Swaminarayan asked that the House should be given an assurance that we are exercising economy. I can only utter my repeated personal assurances that so far as everything that comes under me is concerned—and everything has to come under me except small items—I shall as heretofore study economy combined with efficiency. I can give him and all the honourable members that assurance.

I think, Sir, that I have dealt with all the more important points raised so far as this motion is concerned.

MOULVI RAFIUDDIN AHMAD (Central Division): Sir, I want to say only a few words at this stage. I think we have heard a very interesting explanation from the honourable member the Chief Engineer for the Sukkur Barrage, but I must add that the Honourable the General Member, who is an Indian Member, should always personally supervise all the big items of expenditure that are incurred in connection with this work. The Honourable the General Member is responsible to this House, and we have perfect confidence in him, and I am sure he will do his best to encourage such visits as were paid to the works by the honourable member from Karachi who has just spoken. I admire, Sir, the spirit in which the criticism from the honourable member for Karachi have been taken by the Chief Engineer. That is the spirit which we want to see in the members of the Government opposite.

Mr. B. G. PAHALAJANI: That is his success in Sind.

MOULVI RAFIUDDIN AHMAD: I do not know about that. The honourable member is a better authority about it. I would also state that, should the Honourable the General Member enable some other members of this House interested in this work to go and see the canals, I think that will contribute to greater smoothness between the department and the Council. I think Government might arrange to take to the works such of the honourable members as care to visit them; and of course Government should pay the expenses. A Government boat could be easily placed at their disposal. I do think that such visits should be encouraged, and I think that the purpose of the suggestion of the honourable member from Bombay (Mr. B. T. Desai) about a committee of control would be indirectly served by honourable members visiting the place themselves. I thought it necessary to make these remarks in the interest of the Honourable the General Member, and I hope the House will show their confidence in him by allowing the necessary expenditure in connection with this.

Mr. G. I. PATEL (Ahmedabad Millowners' Association): I have nothing further to add, Sir, after the several speeches of honourable members on this side. But one point there remains on which I wish to

[Mr. G. I. Patel]

have information. It has been stated on page 186 that the expenditure on tools and plants is Rs. 41,44,201. There is a foot-note which says : "Rs. 1,90,00,000 transferred to I-Works for special tools and plant in the Barrage." This leaves me to understand that on a scheme which is estimated to cost 18 crores we have so far spent Rs. 1,90,00,000 *plus* Rs. 41,44,000 under head tools and plants. I think I am correct in reading the figures.....

Mr. C. S. C. HARRISON : I may perhaps be able to explain this, Sir. Rs. 1,90,00,000 has been transferred to works which will bear the cost of this special machinery. In the case of the drag line excavators we expect to work the machines for six years at the end of which period their value will be "nil" on our books. Working costs and a proportionate share of depreciation charges of the machinery are borne by the works and allowance therefor is made in the Working Estimates. If we are able to sell the machinery for more than the depreciated book value thereof well and good.

Mr. G. I. PATEL : May I know whether this amount of one crore has already been spent on tools and plants ?

The Honourable the PRESIDENT : Will the honourable member proceed ? If the Honourable the General Member has got any reply he will give it.

Mr. G. I. PATEL : I have nothing further to add.

The Honourable Mr. COWASJI JEHangIR : I will explain the point, Sir. That Rs. 1,90,00,000 is the estimate of the whole work including the cost of drag lines. The drag lines are doing the work of manual labour. The estimate for manual labour should have been included in the estimate for the work. Since it is not included the cost of the drag lines which replace manual work, it has been included in the estimate for the whole work.

Mr. C. S. C. HARRISON : On page 150 the amount spent on special tools and plant is clearly given.

Dr. M. K. DIXIT : What is the total expenditure on tools and plants ?

Mr. G. I. PATEL : The Honourable the General Member is incorrect. Please refer to page 150.

The Honourable Mr. COWASJI JEHangIR : The honourable member asked me explanation with regard to the figure on page 186. It is correct. The cost of the drag line excavators have been debited to that account.

If you refer to page 150, Mr. President, you will find that Rs. 1,90,00,000 is the estimate of what will be spent on tools and plants according to the revised estimate for the whole work.

Mr. J. C. SWAMINARAYAN : The total amount spent on machinery comes to Rs. 290 lakhs. Sir.

Mr. C. S. C. HARRISON : The total amount spent on special plant and machinery comes to Rs. 1,20,55,000.

The Honourable the PRESIDENT : I must put a stop to all this.

[Mr. President]

The Honourable the General Member has understood the arguments of all honourable members who have spoken before him and he is to reply to those arguments.

The Honourable Mr. COWASJI JEHLANGIR : Mr. President, I am not going to take much of the time of the House at this late hour. The Chief Engineer has explained the question of dredgers and the drag line excavators and other material points raised by my honourable friend. May I point out that we have gone on to the general discussion from that of special tools and plants and drifted a little away from the subject before the House. I presume that we will have to go over all these points when another honourable member moves his motion for a cut in order to discuss the whole policy of the Barrage project. Therefore I do not propose to meet all the arguments that have been advanced on this occasion as it will be a mere waste of time to do so.

But I am sorry I have to go into some questions other than those of tools and plants. Mr. President, you will allow me to do so, because it is best to explain these points immediately as they arise rather than to wait for the proper occasion. That is the excuse for my going into some details just now.

One point was raised by my honourable friend the member for Kaira—I do not see him here. He asked why it was that the department were able to accept a cut of 25 lakhs when it came from the Finance Department and why the department should resist a cut of 10 lakhs when it comes from this House. My honourable friend from Kaira did not tell this honourable House that this system of general cuts was introduced last year. In the current year's budget we have got a cut of 25 lakhs. The object of the Finance Department was to see that we did not make the Finance Department borrow more money than we could spend. So they said : " Take away 25 lakhs from your total demand, and if you want the money during the year we shall undertake to supply it. Do not make us borrow more than what you require ". It was in order to accede to this very reasonable demand of the Finance Department that all spending departments agreed to cut out certain amounts which the Finance Department suggested. We have done the same thing this year ; it is nothing new : it was started last year for the first time, and we have continued it this year. But we have got this assurance from the Finance Department that if by any chance our work progresses to such an extent as to enable us to spend the whole of the amount which the department originally demanded, the Finance Department will be true to their word and supply us 25 lakhs.

Another honourable member asked why we should not accept this cut of 10 lakhs. The cut that is proposed is a cut of 10 lakhs out of a provision of 24 lakhs ; that is to say, it is a cut of about 45 per cent. I do not know who asked the question, but I am told some honourable member asked it.

Mr. S. C. JOSHI : I asked the question how far the reduction of 25 lakhs had affected the works in the present budget and how far the works will be handicapped by a reduction of 10 lakhs more.

The Honourable Mr. COWASJI JEHangIR : The reduction of 25 lakhs by the Finance Department has not affected the works. If we require it, the Finance Department will have to supply the money. There is a provision of Rs. 1,78,33,000 in the Blue Book (page 137) ; the Finance Department will have to find this amount if required. A cut by the Council is a different matter. I can give the assurance that the money will not be spent unless it is required.

Again, I may remind the House of the explanation that is given on page 137. A certain amount of money was budgetted for during the last year, but it could not be spent, and the explanation is given at the top of page 137. If some of the money asked for this year is not spent—and it is possible that it may not be spent—an explanation will be given to the honourable House. But if we do not have the budget provision now, and the money is required during the year, then we shall be in an extraordinarily awkward position and the work might have to be stopped. Supposing the honourable House carries a cut of 10 lakhs and reduces the amount to Rs. 14,04,000, and after nine months of the next year we find that the funds sanctioned are not enough to provide the machinery required, the Council may not be sitting then, and we will have either to order out the machinery anticipating the Council's sanction or stop the work. The Chief Engineer says that to the best of his ability he has estimated his requirements for Tools and Plant at Rs. 24,04,000.

Mr. P. J. MURZBAN : Will the Honourable the General Member inform this honourable House whether Government often spends money in anticipation of the sanction of the House or not ?

The Honourable Mr. COWASJI JEHangIR : Government by no means anticipate ; they re-appropriate if they can.

Dr. M. K. DIXIT : Will the Honourable the General Member inform the House if any machinery has already been ordered ?

The Honourable Mr. COWASJI JEHangIR : The machinery ordered out so far will be met from the money sanctioned last year. This provision is for machinery that will be purchased next year.

MOULVI RAFIUDDIN AHMAD : The Honourable the General Member stated that in order to help the Finance Department he consented to a cut of 25 lakhs. Would he kindly make his reply more clear ?

The Honourable Mr. COWASJI JEHangIR : The responsibility for borrowing money lies with the Finance Department, and if by any chance more money is borrowed at a certain date than is required, that money lies idle.

I do not think there is any other point I desire to explain. As I have already said, I anticipate another honourable member to propose a general cut to raise a general discussion—the honourable member from Sukkur proposes to do so and we shall have a discussion—over again. I therefore ask the honourable member to withdraw this cut.

Question put and lost.

The Honourable the PRESIDENT : Order, order. Before the House adjourns for to-morrow's sitting, I am asked to take the sense of the House

[Mr President]

on a proposal that the House should meet to-morrow at 11 and disperse at 2. This is to enable some honourable members to visit the race course not for the sake of the pleasure of the race but for the sake of studying certain questions which they may have to face when the honourable member Mr Addyman's bill comes before them. (Honourable Members No, no) I understand the sense of the House is against the proposal.

The House will now adjourn till 2 o'clock on Saturday, the 5th March 1927

Vol. XIX

Part XIII



Bombay Legislative Council Debates

Official Report

Saturday, March 5, 1927

[Price—Annas 5 or 6d.]

BOMBAY

PRINTED AT THE GOVERNMENT CENTRAL PRESS

1927

Obtainable from the Superintendent of Government Printing and Stationery,
Bombay; from the High Commissioner for India, 42 Grosvenor Gardens,
S.W. 1, London; or through any recognised Bookseller.

Saturday, the 5th March 1927.

The Council re-assembled at the Town Hall, Bombay, at 2 p.m., on Saturday, the 5th March 1927, the Honourable the President, Mr. A. M. K. DEHLAVI, Bar.-at-law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Saheb
 ADDYMAN, Mr. J.
 AHMAD, MOULVI RAFI UDDIN
 ALLAH PAKSH *walad* Khan Saheb HAJI MAHOMED UMAR, Mr.
 AMBEDKAR, Dr. B. R.
 AMIN, Mr. H. J.
 ANDERSON, Mr. F. G. H.
 ANGADI, Rao Bahadur S. N.
 ASAVLE, Mr. R. S.
 BALAK RAM, Mr.
 BECHAR, Mr. N. A.
 BELL, Mr. R. D.
 BHOSLE, Mr. M. G.
 BHURGRI, Mr. J. W.
 BHUTTO, Khan Bahadur S. N.
 BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
 BIRADAR, SARDAR MAHABOOBALI KHAN
 BOLE, Mr. S. K.
 BROWNE, Mr. D. R. H.
 CHIKODI, Mr. P. R.
 DABHOLKAR, SIR VASANTRAO.
 DAGUMIYA, Mr. G. A.
 DAUD KHAN SHALEBHAY Mr.
 DESAI, the Honourable Dewan Bahadur HARILAL D.
 DESAI, Mr. B. T.
 DESAI, Mr. J. B.
 DESAI, Rao Saheb D. P.
 DESHPANDE, Mr. L. M.
 DIXIT, Dr. M. K.
 DUGUID, Mr. A.
 FIRODEA, Mr. K. S.
 GHOSAL, Mr. J.
 GHULAM HAIDAR SHAH Mr.
 GHULAM HUSSAIN, the Honourable Sir
 GHULAM NABI SHAH, Khan Saheb
 GILDER, Dr. M. D.
 GINWALLA, Mr. F. J.
 GUNJAL, Mr. N. R.
 HARRISON, Mr. C. S. C.
 HATCH, Mr. G. W.
 HOTSON, the Honourable Mr. J. E. B.

10 MAR 1927

ISLAN, Khan Saheb GHULAM MUHAMMAD ABDULLAH KHAN
JADHAV, Mr. B. V.

JAIRAMDAS DOULATRAM, Mr.

JAN MAHOMED KHAN, Khan Bahadur

JANVEKAR, Mr. D. A.

JEHANGIR, the Honourable Mr. COWASSI

JITEKAR, Mr. HAJI IBRAHIM HAJI MAHOMED

JOG, Mr. V. N.

JONES, Mr. W. E.

JOSHI, Mr. S. C.

KALE, Rao Bahadur R. R.

KAMBLI, Rao Bahadur S. T.

KARKI, Mr. M. D.

KAY, Sir JOSEPH

KHUHRO, Mr. M. S.

LALJI NARANJI, Mr.

LALLJEE, Mr. Hooseinbhoy Abdullahhoy

LIGADE, Mr. S. P.

MAJMUDAR, Mr. N. G.

MANSURI, Khan Saheb A. M.

MARTIN, Mr. J. R.

MEHTA, the Honourable Sir CHUNILAL

MIR MAHOMED BALOCH SHAIKH, Mr.

MONTEATH, Mr. J.

MUJUMDAR, Sardar G. N.

MUKADAM, Mr. W. S.

MURZBAN, Mr. P. J.

NAIK, Rao Bahadur B. R.

NANAL, Mr. B. R.

NOOR MAHOMED, Mr.

OLIVEIRA, Mr. F.

OWEN, Mr. A. C.

PAHALAJANI, Mr. B. G.

PAINTER, Mr. H. L.

PATASKAR, Mr. H. V.

PATEL, Mr. G. I.

PATEL, Mr. J. R.

PATIL, Rao Saheb D. R.

PERRY, Mr. E. W.

PETCH, Mr. F. W.

PRADHAN, the Honourable Mr. G. B.

PRADHAN, Mr. R. G.

RAHIMTOOLA, Mr. HOSENALLY M.

RAJMAL LAKHICHAND, Mr.

RIEU, the Honourable Mr. J. L.

SARDESAI, Mr. S. A.

SAYED MUHAMMAD KAMIL SHAH

SAYED MUNAWAR, Mr.

SHAIKH ABDUL AZIZ ABDUL LATIF, Mr.

SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.

SHETH, Mr. A. D.
 SHIVDASANI, Mr. H. B.
 SMYTH, Mr. J. W.
 SOLANKI, Dr. PURUSHOTTAMRAI G
 SURVE, Mr. V. A.
 SWAMINARAYAN, Mr. J. C.
 TAUNTON, Mr. I. H.
 THAKOR OF KERWADA, the
 THORNBEE, Mr. J. P.
 TURNER, Mr. C. W. A.
 VANDEKAR, Rao Saheb R. V
 WADIA, Mr. C. N.
 WILES, Mr. G.
 WINTERBOTHAM, Mr. G. L.

The Honourable the PRESIDENT : Order, order. Swearing in of new members.

Khan Saheb Ghulam Muhammad Abdullah Khan Isran made the prescribed oath of allegiance to His Majesty the King Emperor and took his seat in the Council.

DEPUTY COLLECTORSHIP : APPLICATION OF MR. M. K. JADHAV

Dr. B. R. AMBEDKAR : Will Government be pleased to state—

(i) Whether Mr. M. K. Jadhav, B.A. (Hons.), Bombay, applied for one of the three posts of Deputy Collector recently filled up by the Revenue Department of the Government of Bombay ?

(ii) Whether they were aware that he belonged to the Depressed Classes ?

(iii) The reasons why his application was rejected.

Honourable Mr. J. L. RIEU : (i) Yes.

(ii) Yes.

(iii) Government regret that they are not prepared to state the reasons why Mr. Jadhav or any other individual candidate was not selected.

Dr. B. R. AMBEDKAR : Did Government apply the rule of 50 per cent. reserved posts for depressed classes in Government service when filling up the appointments ?

The Honourable Mr. J. L. RIEU : The rule does not apply at all. It applies to clerical staff only.

Mr. W. S. MUKADAM : Will Government be pleased to give us the name of the candidate selected ?

The Honourable Mr. J. L. RIEU : The honourable member will find it from records.

Mr. W. S. MUKADAM : Will Government be pleased to state in this Council the name of the candidate selected ?

The Honourable Mr. J. L. RIEU : I have no record here of the selected candidates.

GHARI MANDHAR CANAL

Mr. JAIRAMDAS DOULATRAM (Eastern Sind) : Will Government be pleased to state—

(a) the number of breaches which have occurred in Ghari Mandhar Canal, taluka Badin, in each year from 1916 to date ;

(b) the total area for which remission was applied for in the Kharif season of 1926-27 on the above canal on the ground of floods and for what area it was granted ;

(c) the average occupied area on the above canal below mile 8 which has been cultivated per year during the last ten years and how much average area remains waste ;

(d) how much cultivated land is lying waste this year on the above canal below mile 8 ;

(e) whether it is a fact that the old Kaziu canal which is intended to serve as an escape to the Ghari Mandhar canal does not in its present circumstances reduce the pressure on the latter canal ;

(f) whether they propose to take any steps to improve this state of affairs ?

The Honourable Mr. COWASJI JEhangIR : The information has been called for.

FULELI ESCAPE : BREACHES SINCE 1922

Mr. JAIRAMDAS DOULATRAM (Eastern Sind) : Will Government be pleased to state—

(a) the number of times breaches have occurred in the Fuleli Escape since the year 1922 ;

(b) the longest period during which any breach remained unclosed ;

(c) whether it is a fact that a number of villages were flooded as a result of the breaches in the Fuleli escape during the autumn of the last year.

The Honourable Mr. COWASJI JEhangIR : The information has been called for.

BOMBAY PORT TRUST RAILWAY

Mr. JAIRAMDAS DOULATRAM (Eastern Sind) : Will Government be pleased to state—

(a) the length of the Bombay Port Trust Railway ;

(b) whether it is a fact that the superior staff in charge of the line includes a Manager drawing Rs. 2,500 per mensem, four Deputy Managers each drawing Rs. 1,500 per mensem and nine Assistant Managers each drawing on an average about Rs. 800 per mensem in addition to various allowances ;

(c) the number of other members of the superior staff besides the above who are drawing Rs. 250 or more per mensem ;

(d) whether the Retrenchment Officer recently appointed by Government has suggested any reduction in the above staff ;

(e) whether they have considered the advisability of reducing the strength of the superior staff.

The Honourable Mr. COWASJI JEHangIR : (a) The length of the Bombay Port Trust Railway from end to end is 6·93 miles. The total length of the main lines and depôt sidings comprising the Railway is 116·90 miles.

(b) No. The supervising staff of the Railway consist of—

1 Manager on Rs. 2,000—100—2,500 per mensem (grade to be reduced to Rs. 1,800—100—2,300 for future incumbents),

2 Deputy Managers Rs. 1,150—75—1,750 per mensem (grade to be reduced to Rs. 1,000—75—1,600 for future incumbents),

3 Assistant Managers Rs. 550—50—1,200 per mensem (grade to be reduced to Rs. 550—50—1,000 for future incumbents. One officer is supernumerary on the Deputy Manager's grade),

1 Assistant Traffic Superintendent, Rs. 550—50—700.

No allowances are drawn by these officers in addition to pay, except Married Officers House Allowance admissible to all married officers in the Port Trust service drawing over Rs. 270 a month and not residing in Port Trust quarters.

(c) Twelve.

(d) No Retrenchment Officer has been recently appointed by Government. The Retrenchment Officer appointed by the Trustees in 1924, with the approval of Government, recommended certain reductions in the scheduled establishment at that time in force but did not make specific recommendations in all cases. After full investigation the Trustees decided to abolish the following superior scheduled posts above Rs. 250 per mensem :—

1 Deputy Manager,

1 Probationary Assistant Manager,

3 Yard Foremen,

6 Deputy Yard Foremen.

1 Commercial Inspector,

1 Railway Inspector.

1 Head Clerk.

In addition, the grade pay of the Manager, Deputy and Assistant Managers was reduced for future incumbents, as shown in paragraph (b) above.

(e) No. The matter is within the Trustees' powers under the Bombay Port Trust Act and has been dealt with by them.

SMALL CAUSE COURT VACANCIES

Mr. S. C. JOSHI : Will Government be pleased to state—

(a) whether it is a fact that clerical appointments in the office of the Registrar, Small Causes Court, Bombay, are filled by seniority from among the list of approved candidates attached to that office ;

(b) what was the number of vacancies of clerks filled in that office for the period from 1st September 1925 to 21st September 1926 ;

(c) how many of the clerks confirmed during that period belonged to the backward communities, and how many to the advanced communities ;

(d) whether it is a fact that one of the approved candidates occasionally officiating in permanent vacancies of clerks, in the Court

- of Small Causes, Bombay, was asked to leave the service from that office as he was a member of the advanced communities :
- (e) whether it is a fact that he was attached to that office as an approved candidate for 2 years and 9 months :
- (f) whether it is a fact that the said clerk had submitted a representation to Government through the proper channel while in service ? If so, with what result ?
- (g) whether it is the policy of Government in bringing about the prescribed percentage between the advanced and the backward communities to send away people who have been on the waiting list as approved candidates for years together ?

The Honourable Mr. J. E. B. HOTSON : (a) They are filled up by the selection of the most efficient candidates from the list of approved candidates, irrespective of seniority.

(b) 10.

(c) 6 belonged to backward communities and 4 to advanced communities.

(d) and (e) When the candidate had put in only 1 year and 5 months work, he, with other candidates of the advanced communities, was informed that prospects of permanent employment in the office were remote, because most of the vacancies would have to be given to members of the backward communities until their numbers more nearly approached the required proportion, and he was therefore advised to withdraw. At his own request, he was allowed to remain in the office as a special concession.

(f) Yes. His representation was disposed of by the Chief Judge in his discretionary power.

(g) Unpaid candidates are not considered to have established a claim to appointment. They receive copying fees and benefit by training as clerks. But appointment to regular employment remains within the discretion of the appointing officer.

Mr. S. C. JOSHI : May I know what was the percentage of the backward communities and the advanced communities ?

The Honourable Mr. J. E. B. HOTSON : Six belonged to backward communities and four to advanced communities.

Mr. S. C. JOSHI : I mean the general percentages ?

The Honourable Mr. J. E. B. HOTSON : I do not know.

Rao Bahadur S. N. ANGADI : Is it not a fact that the Government has issued a press communique saying that at least 60 per cent. posts will go to the backward classes ?

The Honourable Mr. J. E. B. HOTSON : 50 per cent., I think.

Rao Bahadur S. N. ANGADI : Does it not mean that Government can even exceed the percentage ? I think it is a minimum laid down, but I think it is the discretion of the appointing officers to exceed the minimum ?

The Honourable Mr. J. E. B. HOTSON : Well the appointments in the possession of the backward communities have not yet reached the

50 per cent. minimum. When they do, there will be time to talk of more.

Rao Bahadur S. N. ANGADI : My question is the district officers have got the discretion of going beyond the 50 per cent. Is that correct ?

The Honourable Mr. J. E. B. HOTSON : The appointing officer has to select the best men. He has also received instructions to appoint up to 50 per cent. from the backward classes so long as suitable candidates are available.

Rao Bahadur S. N. ANGADI : My question is : Is that the minimum laid down ? Could not the district officers exceed the minimum ?

The Honourable the PRESIDENT : The honourable member (Home Member) has informed the House that the minimum that has been laid down has not yet been reached. The honourable member from Belgaum wants to know whether the local officers could go beyond that minimum.

MOULVI RAFI UDDIN AHMAD : In question (d) it was asked whether it is a fact that one of the approved candidates was asked to leave the service and the reply given is : "He was advised to withdraw". Is there any difference between leaving the service and withdrawing from it ?

The Honourable Mr. J. E. B. HOTSON : I don't think so.

Mr. W. S. MUKADAM : In (d) and (e) it is stated that "he was informed that prospects of permanent employment in the office were remote, etc." May I know whether the man was given this information in writing or verbally ?

The Honourable Mr. J. E. B. HOTSON : I cannot say ; he was informed.

Mr. W. S. MUKADAM : In (f) the answer says the representation was disposed of. May I know how it was disposed of ?

The Honourable Mr. J. E. B. HOTSON : It appears to have been rejected.

Mr. W. S. MUKADAM : Was it filed ?

The Honourable the PRESIDENT : Next question.

POLICE PATEL IN KANARA : TRIAL OF A CASE

Mr. M. D. KARKI (Kanara District) : Will Government be pleased to state—

(a) whether their attention has been drawn to the correspondence headed "Arbitrary action of a police patel" and published in the issue of the *Kanara News* of 3rd January 1927 at page 11, column 1 ;

(b) whether there was any criminal complaint filed by a grownup prostitute against an old prostitute under section 14 of the Village Police Act before the Police Patel of Sirsi in the month of December 1926 ;

(c) if so, the dates on which the complaint was filed, the notice against the accused was issued and served, and the complaint was heard and decided respectively ;

- (d) whether the accused was not given an opportunity to adduce any evidence in her defence but convicted and sentenced to pay a fine of Rs. 2 or in default to undergo 24 hours' imprisonment in derogation of the provisions of the Village Police Act as amended in 1925 ;

(e) the number of witnesses cited by the complainant and the dates of the issue of witness—summons and their service respectively ;

(f) whether the District Magistrate, Kanara, has taken any action in the matter of the conduct of the said Police Patel. If so, the nature of the action taken :

(g) if the reply to (f) is in the negative, what action Government intend to take in the matter ?

The Honourable Mr. J. E. B. HOTSON : (a) Not until the honourable member did so.

(b) A woman whose occupation is not stated filed a complaint against a prostitute whose age is reported to be 30.

(c) The complaint was filed on the 24th December 1926. The notice to the accused was issued on the 24th December 1926 and was served on the accused on the 26th December 1926. The case was heard and decided on the 29th December 1926.

(d) The accused was asked whether she had any defence evidence but replied in the negative. The case was therefore decided on the strength of the prosecution evidence. The accused was fined Rs. 2. As the fine was paid immediately no punishment in default of payment thereof was awarded.

(e) The complainant cited three witnesses. Summonses were issued to them on the 24th December 1926 ; they were served on two of the witnesses on the 25th December 1926 and on the third on the 28th December 1926.

(f) and (g) None.

Mr. M. D. KARKI : Do Government find that the report as published in the *Kanara News* is not substantially correct ?

The Honourable Mr. J. E. B. HOTSON : That appears to be the case.

Mr. M. D. KARKI : What steps do Government intend to take in the matter ?

The Honourable Mr. J. E. B. HOTSON : None.

TAGAI LOANS IN BIJAPUR DISTRICT

Mr. M. D. KARKI (Kanara District) : Will Government be pleased to state—

(a) whether the agriculturists in the famine stricken area of the Bijapur district had applied for tagai loans ;

(b) if so, whether most of the applications were rejected on one ground or other ;

(c) whether the agriculturists were asked to pay the amount of assessment on their land out of the tagai amounts borrowed from Government ;

(d) if so, whether they have approved of such action ?

The Honourable Sir CHUNILAL MEHTA : Information has been called for.

Rao Saheb D. R. PATIL : When did Government receive this question ? *

The Honourable Sir CHUNILAL MEHTA : Only a few days ago.

Rao Saheb D. R. PATIL : On what date ?

The Honourable Sir CHUNILAL MEHTA : After it was passed by the Honourable the President, I think.

Rao Saheb D. R. PATIL : But on what date ?

The Honourable Sir CHUNILAL MEHTA : Must be after the Honourable the President took office.

Mr. W. S. MUKADAM : May I know whether interpellations sent by the honourable members were sent to the departments concerned for reply before the President's election took place ? It is a general question I am putting, whether this procedure was followed ?

The Honourable Sir CHUNILAL MEHTA : I believe it was ; and it was on that account that answers were before the House so early. Otherwise we should not have had any answers at all so early.

Mr. W. S. MUKADAM : So, Sir, my honourable friend wants to know the date on which this question was received by Government.

The Honourable Sir CHUNILAL MEHTA : I believe this question came to Government just about the time the Honourable the President took office. I cannot swear to it, but I think I am right in saying so.

G. I. P. RAILWAY POWER HOUSE, KALYAN

Mr. P. J. MARZBAN (Bombay City, South) : Will Government be pleased to state—

(a) whether the G. I. P. Railway have applied to them for a grant of land for their New Power House at Kalyan ;

(b) if so, whether they have given the Company any land ;

(c) if so, the area of the land and the terms on which it is given ?

The Honourable Mr. J. L. RIEU : (a) No.

(b) and (c) Does not arise.

CHIEFS AND SARDARS : BROTHERS AND SONS

Sardar G. N. MUJUMDAR (Deccan Sardars and Inamdars) : Will Government be pleased to state—

(a) whether the names of the Brothers and Sons of the Ruling Chiefs and Sardars of the Deccan used to be enlisted as Sardars simultaneously about 60 years ago ?

(b) If so, when and why the practice has been discontinued ?

The Honourable Mr. J. E. B. HOTSON : Conditions have changed greatly in the last 60 years, and the reasons for which His Excellency the Governor was pleased at that time to make admissions to the order of Sardars have not necessarily equal force now. The appointment of Sardars of the Deccan is a matter entirely within the discretion of His Excellency the Governor.

Sardar G. N. MUJUMDAR : Will Government be pleased to explain the conditions at present existing ?

* The Honourable Mr. J. E. B. HOTSON: The last sentence of my answer is, I think, a sufficient reply.

• PLATFORM FOR UMRETH STATION

Mr. J. R. PATEL (Kaira District): Will Government be pleased to state—

(a) the approximate number of passengers booked to and from Umreth Station during 1925 and 1926 ;

(b) the approximate amount realized from the sale of tickets and luggage charges ;

(c) since how many years the question of constructing a platform for passengers at the Umreth Station has been under consideration ;

(d) the reason why the solution has been delayed so long and when the work will be taken in hand ?

The Honourable Mr. J. L. RIEU: The information has been called for.

ELECTORAL ROLLS : OMISSION OF KANJI NARANJI'S NAME

Mr. H. B. SHIVDASANI (Surat District): Will Government be pleased to state—

(a) whether there is a Khatedar by name Kanji Naranji in the village of Undach, Taluka Bulsar, District Surat ;

(b) whether he has a Khata of over Rs. 32 and if so what is the amount of his Khata ;

(c) whether it is a fact that his name was omitted from both these lists ;

(d) if so, who is responsible for this omission and what steps do Government propose to take to see that such omissions do not take place ?

The Honourable Mr. J. E. B. HOTSON : (a) Yes.

(b) Yes : He holds a Khata of Rs. 122-10-0.

(c) His name was not included in the electoral roll of the Bombay Legislative Council.

(d) The omission was probably due to an oversight of a subordinate local official who prepared that part of the roll of the Constituency ; after the publication of the roll, any person whose name had been improperly omitted was entitled to apply to the Revising Authority to get it included. As Kanji failed to do so, he must share the responsibility.

Government took all possible steps at the last elections to ensure the completeness and accuracy of the rolls. Omissions like the one referred to in the question, which are due to oversight, call for no special steps.

Mr. H. B. SHIVDASANI : With regard to (d), is it a fact that the voter's list was not published in that village ?

The Honourable Mr. J. E. B. HOTSON : We have no reason to believe that it was not published. I understand that it was published.

Mr. H. B. SHIVDASANI : My information is that it was not published.

The Honourable Mr. J. E. B. HOTSON : The Collector says that the list was published on the due date at the village.

ELECTORAL ROLLS : OMISSION OF ZAVERCHAND KANJI'S NAME

Mr. H. B. SHIVDASANI (Surat District): Will Government be pleased to state—

(a) whether there is a Khatedar by name Zaverchand Kanji in the village of Vasan, Taluka Bulsar, District Surat ;

(b) whether he has a Khata of over Rs. 32 and if so what is the amount of his Khata ;

(c) whether it is a fact that his name was omitted from both these lists ;

(d) if so, who is responsible for this omission and what steps do Government propose to take to see that such omissions do not take place ?

The Honourable Mr. J. E. B. HOTSON : (a) Yes.

(b) He holds a Khata of Rs. 28-9-6 only.

(c) He is not qualified for enrolment in the electoral rolls.

(d) Does not arise.

Mr. W. S. MUKADAM : May I know the disqualification of the man ?

The Honourable Mr. J. E. B. HOTSON : It is evident from the reply ; he has a Khata less than Rs. 32.

Mr. H. B. SHIVDASANI : What is his Khata in all the villages.

The Honourable Mr. J. E. B. HOTSON : I require notice of that question.

Mr. H. B. SHIVDASANI : I asked what his Khata was in all the villages and I am given information of his Khata in one village only.

The Honourable Mr. J. E. B. HOTSON : I have no reason at present to believe that he has any Khata in any other village.

Mr. H. B. SHIVDASANI : My information is that he has.

The Honourable Mr. J. E. B. HOTSON : I am not aware of that.

Rao Bahadur S. N. ANGADI : As villagers are illiterate, do not Government consider it proper to issue instructions to the village officers to take every care in preparing the lists ?

The Honourable Mr. J. E. B. HOTSON : This question was debated at length a few days ago.

KASVAB TANK

Mr. H. B. SHIVDASANI (Surat District): Will Government be pleased to give the following information about the tank in the village of Kasvab in the Taluka of Valod in the Surat District :—

(a) the area of the tank ;

(b) the area of the land assessed to it for Himayat ;

(c) the Himayat assessment on the tank ;

(d) whether the embankment of the tank is in good condition ;

(e) the number of pipes on the tank and the condition in which each is at present ;

(f) whether the tank is at present deep enough ;

(g) when was the tank last repaired, what repairs were done to it at the time and what was the amount spent on those repairs ;

- (h) what is the condition of the tank at present.
- (i) whether complaints have been received from the people about this tank ;
- (j) whether they have decided to put this tank in a good state of repair ;
- (k) if so, when will they repair the tank and what repairs will be done to the tank and how much amount will be spent on these repairs ?

The Honourable Mr. COWASJI JEHANGIR : The information has been called for.

Mr. JAIRAMDAS DOULATRAM (Karachi City) : Sir, may I, with your permission, venture to make a suggestion with regard to the debate on the demands for grants. There is a feeling on the non-official side of the House that at the rate that we are going on with regard to these demands, it may be that this time also we may be faced with the same difficulty that was met last time. That is that the nation-building departments may not receive as much consideration as they deserve. There is a suggestion, if Government have no objection, that after the Development grant, or the Excise grant we may take up Education, and Industries and also Agriculture, especially in view of the Agricultural Commission's visit to the country.

The Honourable Sir CHUNILAL MEHTA : We shall be glad to meet the wishes of honourable members and the order will be as follows :

After Excise, we shall take Education.

After Education, we shall take Agriculture.

After Agriculture, we shall decide whether you wish to take Public Health or Industries.

Honourable MEMBERS : That will do.

The Honourable the PRESIDENT : I was just rising to say something very akin to what the honourable member (Mr. Jairamdas Doulatram) has pointed out. I have noticed for the last few days that honourable members, whenever there is an opportunity to do so, I mean, to enter into a general discussion, do enter fully into general discussion on any and every cut. If the House on the non-official side were to decide the matter among themselves and fix upon a few items on which they may enter upon a general discussion of policy, they would be saving the time of the House very much rather than leave it to the discretion of individual members. It is, as I have said before, no part of my duty to lead the House in that respect, but I thought I might mention this morning that a great deal of the time of the House would be saved if that course were followed by honourable members.

There is a small matter I thought I might refer to to-day. I could have done it earlier or even at a later period, but as it would take only a minute or two, I will do so now. The House probably remembers that so far there has been a Library Committee appointed with the permission of the House for looking after the interests of the library, and I propose to appoint a committee because the last committee is *functus officio* on

[The President]

the constitution of the new Council. I therefore appoint the following honourable members :

The Honourable Sir Chunilal Mehta,
The Honourable Sir Ghulam Hussain Hidayatullah,
The Chief Secretary Mr. J. R. Martin,
Mr. B. G. Pahalajani,
Moulvi Rafiuddin Ahmad,
Rao Saheb D. P. Desai,
Mr. R. G. Pradhan,
The Deputy President Rao Bahadur S. T. Kambli,
Mr. B. T. Desai,
Mr. B. V. Jadhav,
Mr. Husseinbhoy Lalljee,
Mr. J. Addyman.

Usually twelve members are appointed and these are the twelve names.

MOULVI RAFIUDDIN AHMAD : You have just said, Sir, that it would be the business of this Library Committee to "look after the interests of the Library." As far as I know, we are only asked to give suggestions for new books. I do not know whether you wish us to do anything more than that.

The Honourable the PRESIDENT : The Committee will look after the interests of this House in connection with the library.

DEMANDS FOR GRANTS

Mr. B. G. PAHALAJANI (Western Sind) : Sir, I move the following motion :

"Reduce I-Works Rs. 1,53,33,000 by Rs. 53,33,000."

The subject of the Lloyd Barrage is so important that a full and complete discussion on it is necessary. Up to this time, we have confined the discussion to one or two items, but, in the interest of the Government as well as in the interest of the House, it is absolutely necessary that the Government should place before the House every detail that is necessary for the House to determine the financing of this project. I may inform the House, that the original sanction that was given by this House in 1923 was for an expenditure of Rs. 18,33 crores. The estimates that were prepared by the department were for Rs. 16 crores and odd, which included the provision for the fluctuations in prices during the war. The Government of Bombay then submitted the matter to the Government of India, and the Government of India proposed an addition of Rs. 2,55 crores, and brought the total to Rs. 18,33 crores. What this amount 2,55 crores represented we have it from the honourable member the Chief Engineer last year. He said :

"When this project of the Barrage was sanctioned by this House and sent up by the Bombay Government to the Secretary of State, I wrote in to Government and pointed out that the market was fluctuating considerably as regards the price of materials. To the best of our ability we tried to make provision at certain rates. The Government of Bombay pointed out this fact to the Government of India and the Government of India with a wider knowledge of the fluctuations in the market made a further provision of Rs. 255 lakhs."

[Mr. B. G. Palalajani]

The amount of Rs. 255 lakhs which appears under the head of unforeseen charges, which was really intended to provide for the fluctuations in prices, was included in the final estimate of Rs. 18.35 crores that was placed before the Council in June 1923. Now, Sir, this is the fifth year running after the work was started. The period within which the Government has to finish the work and make the whole barrage running is 12 years: Government promised that after the fifth year water could be supplied to a portion of the country, and it was expected that after the expiry of 20 years there will be no future debt and the cost will have been paid off. That was the scheme and those were the prospects that had been placed before the House. According to the figures that were sent to the Secretary of State, after making allowance for every kind of additional expenditure, the project was expected to give a profit of 11 per cent. Now, we will be glad if 8 per cent. profit is obtained. It is not the intention of honourable members from Sind, Hindu or Muhammadan or European, that the Barrage should be stopped. It is not our intention that the progress of the Barrage should in any way be interfered with. My only regret is that the Barrage has been actually delayed by one year. The Barrage proper, that is, the dam which ought to have been commenced last year, has not yet begun. It ought to have been commenced earlier, and it ought to commence as soon as possible.

Now, apart from that, considering the huge amount that is involved in the scheme, and considering the magnitude of the scheme, it is but proper that both the Honourable the General Member and the Honourable the Finance Member, who is perhaps more interested in guarding the scheme than even the Honourable the General Member, should keep a strict watch over the expenditure, and the growth of expenditure that proceeds apace. We were told yesterday that the original estimates have been exceeded by Rs. 259 lakhs. We were also told that there are savings on the other side, whose details were also given by the Honourable the General Member. Now, as it is my duty to criticise, I wish to draw the attention of the Honourable the Finance Member, especially to what is going on and what should go on. I must draw the attention of the House and the attention of the Honourable the General Member and of the Honourable the Finance Member to what is going on on the left side. Honourable members who have not visited Sind may like to know that the river is four times as big as the river Mula or Mutha at Poona, running with considerable velocity during summer. That river has to be dammed at a particular place three miles down Sukkur. A regular dam is to be started there for bunding up the water in winter heading up to a height of 11 feet to 12 feet. Now, for that estimates had to be prepared, and have been prepared. The estimates include not only the cost of the Barrage, they include not only the cost of excavating the canals on the right bank and on the left bank, each canal extending to a length of about 200 miles, but it also includes the cost of constructing the smaller water courses, those are again divided into still smaller water courses, all these are called distributaries. My information is that the estimates for the distributaries on the left bank have been exceeded cent per cent., that for every Rs. 100 which was estimated, we have to spend Rs. 200. We

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have got on page 47 of Volume V of the Barrage books the methods by which the estimates have been calculated. It is a very complete method, by which an estimate had been prepared for every 500 feet, which was checked again by an estimate for every 4,000 feet. It was a very complete method, by which we expected a regular and definite estimate had been arrived at. I am now informed, and I hope I have been correctly informed, that that estimate is likely to be exceeded by cent. per cent. I am also informed that on the right side the estimates are likely to be exceeded by 75 per cent., which is not as much as on the left side, but one quarter less. I think I am strengthened in making this statement by the statement of the Honourable the General Member yesterday that there is an increase of Rs. 1,35 crores in the estimates for the distributaries on both sides. I am open to correction, but that was the impression I gathered. Now, I have to make a suggestion which the honourable members, official as well as non-official, may take into consideration. The Blue Book, beginning with page 144 and running up to page 187, contains all the details with regard to the scheme. Column 4 (a) gives the amount of sanctioned detailed working estimate, and column 4 gives the amount provided for in the Revised Recapitulation. Now, the amount given in column 4 (a) represents the amount perhaps of 1920, when these figures were prepared by Mr. Musto and checked by Mr. (now Sir Frederick) Gebbie, and actually brought before the Council. Those were the figures on which the Council was asked to rely. Now, Sir, how the detailed estimates were not prepared, how the work was commenced at all without detailed estimates being prepared, and how the Council was asked to sanction the amount without detailed estimates being prepared, I have been unable to understand. I will be told that the project scheme includes approximate figures and therefore the detailed estimate had to be prepared afterwards. If the detailed estimates differ from the project estimate, by cent. per cent. then I think it was and is the duty of the Finance Department, which it has not done, to insist upon preparing the detailed estimates before anything is done. Now, Sir, if you turn to page 144, leaving aside the land acquisition item, you will find against the sanctioned estimate of Rs. 17,743, the revised recapitulation figure of Rs. 69,190 for excavation; against Rs. 3,13,075, Rs. 6,33,020 for railways; against Rs. 38,087, Rs. 55,650 for service roads and bunds; against Rs. 34,677, Rs. 1,30,200 for water supply; against Rs. 67,260, Rs. 3,07,650 for carriage of stores; against Rs. 65,534, Rs. 1,45,950 for lighting and fans. Going further down to buildings you will see that the sanctioned estimate of Rs. 6,83,904 has gone up to Rs. 9,00,000. As you go on examining these figures you find huge difference between the sanctioned estimates and the recapitulation revised figures. I do not want to waste the time of the House by referring to each item which covers 43 pages of the Blue Book; but I would ask the Honourable the Finance Member and the Honourable the General Member and the Chief Engineer to explain why the sanctioned estimates should be so enormously increased. The original estimate was framed by an engineer, said to be able Mr. Musto, and checked by an abler engineer, Sir Frederick Gebbie. Why should all this be exceeded in such a way as to bring the revised

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estimate to Rs. 1,81,89,748, not to speak of the unforeseen charges. The special provision of Rs. 2,35,00,000 made by the Government of India for unforeseen expenditure for fluctuation in prices, etc., within a period of two years has been absorbed already. I will be told by the Honourable the General Member that the present estimates are for the work up to its termination, and would be absorbed. If the sanctioned estimate, the estimate on the works that has to be carried out, has been increased in every direction up to this time, it is difficult to foresee how, either Government, or the Honourable the General Member or the Finance Member, will be able to check further growth in expenditure, which will become inevitable. The House therefore has to see and consider with care the enormous increase in the estimate, in view of the fact that within five years the revised estimate has gone up to 18 crores and the provision of 2 crores for unforeseen expenses has already been absorbed. I will point out one increase. The cost of the excavation of the distributaries has been exceeded on one side of the river Indus by cent. per cent. and on the other by 75 per cent. I know that the distributaries extend over long distance. This House as well as the Honourable the General Member must be prepared to hear at any time that the estimate has gone up to 24 crores. I will advise the House to sanction it but the House must claim that they should not be kept in the dark regarding any increase that becomes necessary. This is what I claim and the House must claim, that the Honourable the General Member and the Chief Engineer ought to inform us that fact. It should not be, as has been done in the case of the Back Bay and development wherein crores of rupees have been sunk into the sea and up to the the last moment the House was kept in entire ignorance of the whole situation, which has been admitted by Sir Lawless Hepper before the committee of inquiry on Back Bay. It is for us non-official members to sanction the amount but the Government must keep us informed from time to time of all the reasons for the increase of expenditure that takes place. I also request the Chief Engineer to look into these matters and have a watchful eye over the expenditure. I will give one instance. The quarry plant was estimated to cost 12 lakhs and it was proposed to substitute it for manual labour, a plant was sent for, costing 4 lakhs: my information is that the plant has ceased to work because it was found to be too costly to do it with that machinery. So far as I know stone cutting.....

Mr. C. S. C. HARRISON: It is a very big plant. I desire to know which part of it the honourable member refers to.

Mr. B. G. PAHALAJANI: Before the machine had been sent for, tenders had been invited which were from Rs. 19 to Rs. 21 per thousand cubic feet. With the plant, the working cost came to be Rs. 65 to 75 per 1,000 cubic feet. Intention to do quarry work by machinery was abandoned. Further tenders had to be called for manual work: the tenders now given are about Rs. 40 to Rs. 50, including the use of the machinery. It is a matter to be considered what is to be done to this unnecessary machinery which has turned to be more costly. That is one item. The dredgers are another. I do not blame the honourable

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member the Chief Engineer for having sent for the dredgers ; but I certainly blame the Government for not having taken sufficient care in making the contract to have these dredgers duly tested at home before they came out. The two dredgers are not doing not even one-fourth of the work they have been guaranteed to do. Of course in the report you find it stated that there are trees buried within the river and that the cutting takes much time. When I asked a question in the Council last time, certain figures were given to me about the work of these dredgers, but those figures represented not a whole day's continuous work but only two, three or four hours' work. Now, the Chief Engineer has been compelled to admit that the output of the dredgers is extremely small and that they have now been withdrawn as the river has fallen. That is the statement of the Chief Engineer. On these dredgers, lakhs have been spent. There is then a tug—not the *Kaku*, but the *Kalabagh*—which has been bought from the North-Western Railway, which in spite of the very soft and euphimistic words used in the Blue Book (page 133) is not doing its work properly. I will leave it to the House and the Honourable the General Member.

Now, I have complained about three definite items. I may add one more, and that is the elevators for measuring the metal out. These have been sent for by the Superintending Engineer. It is for consideration, whether this way of measuring is cheaper or the ordinary way. These are all matters for investigation. I have placed them before the House and the Honourable the Finance Member. This is a matter in which with the best of intentions of Mr. C. S. C. Harrison—I will not speak of him as “the honourable member,” because I am now referring to him as the Chief Engineer—it is a matter in which extreme care is necessary and there ought to be from the very commencement some provision for checking the work as it proceeds. The Honourable the General Member cannot have his camp at Sukkur in Sind for four months in the year ; the Honourable the Finance Member cannot be spared from Bombay to come and sit and watch the work, nor can he be asked to spare Mr. Dalal to do that. But it is absolutely necessary that Government should provide a means of checking the operations, and that they can do only by means of a strong advisory committee. I say that an advisory committee is required from the very commencement, not at the fag end of the work when it will be too late to mend matters. From the very commencement, from this very time, we want an advisory committee to advise Mr. Harrison. Mr. Harrison will place before them from time to time all the details of the work that are necessary, all the increases and the decreases in the estimates that take place. If that is done, this Council and the Finance Department will be in a position every year to know exactly where they stand so far as the prospects of the Lloyd Barrage are concerned. This is a very fair proposal ; it will not in any way undermine the work which is after all for the prosperity of Sind and the Presidency. It is absolutely necessary that the head of the department living at Karachi, 300 miles away from the scene of operations, should be advised by a local committees as to what should be done and what should not be done, where to stop and where not to stop. There are

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many functions which an advisory committee will be able to perform, there are many matters in which they will be able to right things wrongly done. Above all, I say, an advisory committee is necessary over the Superintending Engineer of the Barrage Works. This is absolutely necessary, because, Sir, I happen to know the Superintending Engineer and my knowledge of the Superintending Engineer and Mr. Harrison's own knowledge of the Superintending Engineer make it absolutely necessary that he should have, what I may call a bridle, but what you may call a check. I have not the slightest intention of attacking the *bona fides* of Mr. Musto, but I have every reason to ask the Chief Engineer, the Honourable the General Member and the honourable House that in a matter of this kind extreme care should be taken to see that there is no waste of money, especially in the Barrage Division where large expenditure can be saved and much unnecessary waste prevented. While moving this cut I would ask Government to lay all their cards on the table. If I succeed in inducing the honourable members of this House to pour out such criticism on this work as is necessary and to call the Government to a sense of their duty, my object in moving this cut will have been achieved.

Mr. MIR MAHOMED BALUCH SHAIKH (Karachi City) (Addressed the House in Urdu): Sir, I stand to-day to support the motion of the honourable member Mr. Pahalajani, about the cut of Rs. 53,33,000 in the demand of Rs. 1,53,33,000 for works of the Lloyd Barrage. I assure you sir, that I am not in favour of many small cuts, what I want is that the whole scheme should be scrutinised, and I fully agree with my honourable friend Mr. Pahalajani for the formation of a committee to enquire in the Lloyd Barrage scheme. The reason for insisting on appointing a committee is that expenditure is increasing by leaps and bounds and apprehensions have been raised in all quarters that like other schemes expenditure will go on increasing and it will amount to more than estimated money for the Lloyd Barrage Scheme. We have already seen by this time that about Rs. 5,57,58,000 have been spent away and the demand for the next year is Rs. 2,27,72,000. So, the total expenditure by the end of the year 1927-28 will be Rs. 7,85,30,000 nearly half of the total estimated amount to be spent on the gigantic scheme. Though half of the estimated amount is spent within the last four years, yet, we are told that the real works have not begun, and up to this time only preparations have been made. What are the preparations? I shall just put them before this honourable House. Two bunds have been erected on both sides of the river. One on the left bank runs up to distance of 3 or 4 miles, and the other on the right bank is about $\frac{3}{4}$ of mile. Roads have been made, wells have been dug, pumps are set up to supply water to officers' bungalows, bazaars and markets have been built, broad gauge railway line has been laid down in 30 miles connecting quarries and the Lloyd Barrage area, small gauge railway is constructed within ten miles, and at present perhaps it is not used at all, power houses cooling houses, tanks, and wharves have been constructed. The greatest attention is concentrated on constructing buildings, and this work is

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carried on zealously and is in full progress. On both sides of the river big buildings and bungalows for officers have been built. Some of the bungalows have two storeys and they consist of 12 to 14 rooms.

The Honourable Sir CHUNILAL MEHTA : What bungalows have 12 or 14 rooms ?

Mr. MIR MAHOMED BALOCH SHAIKH : Sir, the bungalows built for the officers Mr. Musto and Mr. Satarawala. These bungalows have all kinds of modern luxuries, fitted with electric lights and electric fans with beautiful orchards around them. Besides these many other bungalows have been built in Sind in various places costing many lakhs of rupees. In Hyderabad and Nawabshah bungalows have been bought and in Karachi special bungalows have been built. Sir, why have the bungalows been bought and built in Hyderabad and Karachi, since the actual work is carried on in Sukkur ? What kind of supervision is this ?

Then, Sir, the bungalows, which are built in some villages will be quite useless, as these works will be over within two or three years and the whole camp will be shifted. Would it not have been better to pitch up tents and thatched houses ? We had a big scheme of water works in Karachi municipality extending over 17 or 18 miles. The work lasted for 3 or 4 years and no special pucca buildings or bungalows were built ; there were only tents and thatched houses. But Sir, here pucca buildings have been built for temporary use costing lakhs. Yesterday, the Chief Engineer had said that I could not see the work properly in Sukkur, and therefore I could not express the best opinion on it. But, I ask him, Sir ! whose fault was it ?

First I had seen the Honourable the General Member and Mr. R.T. Harrison in Karachi to whom I expressed a desire about seeing the Lloyd Barrage work personally. They were glad to learn that and requested me to see the Chief Engineer before I paid my visit to Sukkur, so that he should arrange for me. I wrote a letter to the Chief Engineer and Mr. Musto at Sukkur on 29th January 1927. The Chief Engineer very kindly replied that he had informed Mr. Musto about my going to Sukkur and that I should see him in his office. I went to Sukkur on 3rd February and tried to see Mr. Musto in his office. But he was absent for a long time, and I proceeded to the scene of work, where I found him (Mr. Musto) observing some work. I tried to send my visiting card through a labourer, but none dared to take it to him. After a short time he came out, and I met him, and informed him that I had come to see the Barrage work. He replied " why have you come to see the works ? " I asked him whether he had received letters from the Chief Engineer and myself. He denied having received any letters. I then requested him to help me in observing the work as I had especially come for that business. His blunt answer was that he had no spare time. Then I requested him to lend me the services of some one who would take me round to show and explain the work. His manner of talking is very discourteous and his behaviour towards me was anything but courteous. He would talk and then proceed further to expect me to follow him like a cooly ; but I stood stuck to one position. He enquired of me as to the

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necessity of my seeing the work. I replied to him, that it would help me when I will be taking part in the budget discussion in the coming Session of the Council. He then told me to see the works myself. I told him his subordinates would not permit me to see the works. Then he gave a chit which I read to the House. (The honourable member read the letter in English).

"To all Subordinates, Barrage circles.

Please allow the bearer to see round the works and explain to him such points as he desires, as far as your time permits."

MR. C. S. C. HARRISON : If the honourable member can speak so well in English, is he in order, Mr. President, in continuing to speak in Urdu ?

The Honourable the PRESIDENT (In Urdu) : A question has been raised whether the honourable member is in order in speaking in Urdu when he can read a letter in English so well.

MR. MIR MAHOMED BALOCH SHAIKH (In Urdu) : Sir, I studied this letter very carefully and made it by heart, so to say, fifty times or a hundred times ; and, therefore, I got something of it in my head. Otherwise I should not have been able to read it with any fluency whatever.

I referred all these things to the Chief Engineer and reported to him all the facts, and requested him to take steps and to reply to me. But, he has written back to say that he would not reply unless I withdrew paragraph seven of my letter.

The Honourable the PRESIDENT : Order, order. I would ask the honourable member to discuss matters which bear on the policy of the Barrage. These are details, very interesting, of course, but they are taking time rather than helping the discussion altogether.

MR. MIR MAHOMED BALOCH SHAIKH (In Urdu) : My only point, Sir, in mentioning all this is that the house may know something as to how the work amounting to lakhs of rupees is going on. I want to point out that Government want to hide from the public exactly how the work is actually carried on. Therefore, we ask for the appointment of a committee so that it can go into all these matters which Government are at present trying to hide from the public.

Now sir, I have already mentioned that the officers in charge of the Barrage works try to conceal the real work from the public especially from a member of the Council being afraid of criticism. The same statement I am making once again before this house, and once more repeat that the Barrage officers try to conceal the work from the public. I am afraid like two previous schemes this scheme also might prove a failure, and the ryots may have to suffer additional burden, which many generations will not be able to throw off easily and in the near future.

Sir, upto this time, it has been shown in the budget that within 4 years about 4 crores of rupees have been spent on works. This amount includes the cost of special tools and plants, which is about $1\frac{1}{2}$ th crores, and 60 lakhs spent on the land acquisition. So the real work done has cost about 90 lakhs, excluding the cost of buildings and bungalows

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which amounts to about 60 lakhs. The total money spent on establishments is Rs. 83,39,538. This means we have spent about 80 per cent. on supervision charges. But, even if we include the cost of the building it comes to 50 per cent. Sir, there are many honourable members present in this house who have experiences of doing various works, and some of the Bombay members are thoroughly well-versed in this work. I do not think that they pay more than 8 per cent. or 10 per cent. of the total cost to their architects, who do all the work for them, surveying, planning and supervising. At present no special work taxing special skill is being carried on. Excavating, moulding blocks and dressing of stones are the works which do not require the services of big highly paid engineers. The cost spent on establishments should not exceed 5 per cent. or 6 per cent. under any case in the present circumstances.

Sir, everyone of us is aware about the fate of two schemes, *viz.*, the Back Bay and the City Development Scheme. Both have turned out to be failures, and I should like to warn the house that they should not blindly consent to the heavy expenditure without appointing a committee which should examine the officers of the Lloyd Barrage. I shall give one homely instance and sit down. I shall not take much time. Some years ago I went to Mecca to perform pilgrimage. The barbers in Mecca use very blunt and rough razors for shaving. They cause much pain and blood comes out. I was subjected to the same thing and I could not bear the operation, and ran away after half of my head was shaved. Sir, so this house has been shaved twice before with such blunt razors, and I do not think, they are going to yield themselves for the third time to the same detestable process and operations.

Mr. G. WILES : Mr. President, I am afraid I shall not be able to continue the discussion along the same lines as the honourable member who spoke last. I wish to say a few words on the financial control which is being exercised over the accounts of the Sukkur Barrage. It will be necessary, in doing so, for me to read out some extracts from the reports of the Accountant General and the Auditor General. I know honourable members lay great store by the reports of these officers, and I hope to satisfy the house that the financial control which is at present being exercised is satisfactory.

Reporting on the accounts of the year 1924-25, the Accountant General drew attention to the account objections against the expenditure on the Barrage. He pointed out that a close investigation of the figures shows that in the majority of cases the irregular outlay was incurred as a result of necessity so urgent as to make the expenditure unavoidable or as a result of mistakes or misunderstandings which are not likely to recur.....

Mr. JAIRAMDAS DOULATRAM : From what is the honourable member quoting ?

Mr. G. WILES : I am quoting from page 34 of the Audit Report of the Accountant General for the year 1924-25. On page 34, in regard to (d), that is to say, " expenditure on individual works either without or

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in excess of project provision therefor but within project provision under the departmental heads concerned," the Accountant General reports :

"It has been found on close investigation of the needs of the Project that in certain respects insufficient provision was made in the original estimate submitted to and sanctioned by the Secretary of State. It has been necessary therefore in the light of the more detailed knowledge now available to redistribute the provision made under the various heads of the estimate. This has been done in a 'Revised Recapitulation Statement' which was submitted to the local Government in February 1925."

I shall now quote from a later report, that for 1925-26. The house is aware, I think, that we have an accounts officer attached to the Chief Engineer, Sukkur Barrage, whose duty it is to pre-audit all expenditure. This officer has lately been attached especially to the Finance Department, as Deputy Financial Adviser, so that the Finance Department may not only be assisted by the reports on expenditure but have the benefit of his advice before the expenditure takes place. In paragraph 21 of the Audit Report on the Accounts of the Bombay Presidency for 1925-26, the Accountant General says :

"As in the previous two year, it is pleasant to record that the pre-audit system has had the desired effect of preventing any serious irregularities during the year under review."

So much for financial irregularities. Coming more particularly to the question of estimates which, I understand, is now interesting the house the report in paragraph 50 says :

"Excluding the expenditure on land compensation for which, as explained in the last year's report, it is neither practicable nor desirable to have covering estimates in advance of the announcement of awards, the percentages against lines (1) and (3) that is objections to expenditure work out to only 17·70.

"This gratifying improvement reflects credit on all concerned ; specially on the Chief Engineer, whose unwearied helpfulness in all accounts matters and faithful insistence on financial regularity throughout the Project deserve special acknowledgment.

"Out of 1,117 works started during the year in this Project, 311 were without estimates ; a percentage of 27·84 against 25 in the preceding year."

But out of this increase, no less than 195 cases were due to land acquisition for which, as the Accountant General has pointed out before, it is impossible to have covering estimates provided beforehand. He goes on to say :

"Excluding these awards, the percentage of works started without estimates was only 17·45 against 25 last year. This improvement is distinctly encouraging and justifies the hope that this irregularity will be still further reduced in future.

"It cannot but be admitted that on the whole the position is extremely satisfactory.

"The majority of items remaining under objection are for small amounts. This is inevitable in a scheme of this magnitude ; specially in its initial stages, when it is desirable to carry out the work under a centralised system of control till working conditions become more established and the temporary staff, engaged on the work, attain the requisite standard of local knowledge and experience."

With the exception, therefore, Sir, of the estimates for land acquisition which, in the first instance, proved very insufficient—they are going down now more and more as the staff is getting more experience—with that exception, I hope the house will be satisfied that the financial control is not unsatisfactory.

Mr. N. A. BECHAR (Karachi City) : Sir, when the Honourable the General Member came to Karachi, and we had the opportunity of meeting him at the Indian Chamber of Commerce, where I happened to be present

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by invitation, I asked certain questions to the Chief Engineer who accompanied him there, as to whether the work was being carried on within the estimates that were originally prepared, and whether every bit of the work was actually taken into account by the original estimates, and he replied to us that the work was being carried on within the estimates. If you will refer to the remarks which my honourable friend Mr. Pahalajani made, it was pointed out to us that about Rs. 2 crores and more was specifically provided by the Government of India as unforeseen expenditure, which was originally not included in the scheme forwarded to them by this Government, and about Rs. 1 crore and something more has been already provided this year, in order to meet the unforeseen charges. Sir, the whole of this scheme was to cost about Rs. 18 crores and odd, and we really desire to know as to what part of the work has already been completed, as to the cost that was originally estimated for it, and whether the actual expenditure bears any resemblance to the work already done. Sir, we have had bitter experience of the Development Department and the housing schemes where, as Mr. Manu Subedar has very rightly pointed out to us in his report, the expenditure went to about three times the original estimate. Sir, I am not one of those faddists who consider that without building proper houses for the officer, without having proper markets, without having hospitals, and without having roads and other things, you can carry on such a huge work. All these amenities of life are necessary and a *sine qua non* for the huge task which Government have undertaken. If such a big work is to be carried on, it cannot be carried on in a petty-minded way at all, and that if we had Engineers like Mr. Mir Mahomed in India, I am sure we could not have dreamt of these big schemes. Sir, therefore, I am quite prepared to make allowances for all the expenses which are contingent upon such big schemes. But I must tell you my own conviction that, in all these matters, the amount of scrutiny and the amount of care that is required to be taken in order to scrutinise every item of expenditure is sometimes lacking. I desire to know from the Honourable the General Member whether all this amount of tools and plant that have been bought by him, were actually bought by him by open tenders not from England alone, but from the Continent and America, or they were allowed to be tendered for by one person either sitting at the head office at Sukkur or at Karachi, or by some one in England. Sir, my own fear is that, whether you allow one crore of rupees to stand in the budget or you allow only half a crore of rupees to stand in the budget, this is not like recurring expenditure for a department which will cut its coat according to its cloth, but it will carry on just the amount of work for which you provide the funds. Therefore whether you cut down 25 lakhs or 50 lakhs, it certainly makes no difference to us. If you cut down the expenditure the result will be that the amount of work which you intend to carry out during a particular year may suffer on account of want of funds and the result will be that the working expenses will on the contrary increase. Therefore I am certainly not for any cut; but I do insist that we ought to know where we stand financially, whether there is any hope of our carrying out the whole scheme within 18 crores of rupees or the cost will run to 20 crores.

[Mr. N. A. Bechar]

My honourable friend Mr. Mir Mahomed has very rightly pointed out the necessity of a committee. I regard that a committee of that nature ought to be able to do very useful work and of good service to the Chief Engineer also. That committee ought to be able to exercise certain amount of control over the whole project. In the Karachi municipality we started water works costing lakhs of rupees and we had a committee of our own which did very useful work. The Chief Engineer of that municipality by all sorts of arguments compelled us to order machinery worth two lakhs of rupees which was lying useless and untouched for two years which involved us into the loss of interest value. Therefore you will see that Engineers do in their zeal outrun their discretion—and if I draw the same analogy here, being a huge work proportionately things may be going wrong. It is no satisfaction to us to hear stray passages from the remarks which the auditor may have made for or against, which the honourable member the Finance Secretary read out to us. It does not prove actually that every bit of expenditure has been carefully scrutinised. They only check papers and accounts and satisfy themselves that they are correct. But I know, Sir, that accounts can nicely be made without any mistake, and yet you may find that the project may prove a failure. Therefore to ask us to take satisfaction merely upon the remarks and the reports of the auditor is certainly no satisfaction to us at all. I strongly support the suggestion that we should have a committee that ought to be able to exercise a certain amount of control? Otherwise when we come to the end we may find that we have spent much more than the estimated amount, and the difficulty will be that you will find that you have miscalculated your yield, whether it is 6 per cent. or 7 per cent. and that the proportion will run in the inverse ratio with the result that the whole presidency will have to bear the burden which generation after generation will find it difficult to bear. Therefore I suggest that we should have a committee to exercise very strict control and they ought to be able to give us all information at every sitting of the Council.

Rao Bahadur R. R. KALE (Satara District): Sir, it is with a view to criticise the policy underlying this Irrigation Department, and not with a view to support any cut that has been proposed by the honourable member from Sukkur, that I wish to make a few remarks. Honourable members of this House are aware that this scheme was undertaken at the end of the last session of the first council. At that time the scheme had already been worked out and certain estimates were placed before the House. The House was asked to sanction the scheme on the supposition that it would be a productive business, of course in such matters the House has only to depend upon the advisors of Government and the opinion formed by Government on such advice. Unfortunately this Irrigation Department is a reserved subject, although the committee on the division of functions said in their report that the Irrigation Department which is one branch of the Public Works Department should be a transferred subject as the other branch of Roads and Buildings has been made a transferred subject. But the difficulty that committee had to face was that this Irrigation Department was closely connected with the Revenue Department, which is a reserved subject. So the Irrigation Departmen

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had to be made a reserved one. As regards the reason why the committee made the Revenue Department a reserved subject, I do not want to go into details, but suffice it to say that because the officers of that department performed judicial functions also they could not make the Land Revenue Department a transferred one, and because the Home Department which controls the judiciary is a reserved department and the officers of the Revenue Department exercised judicial functions also.

The Honourable the PRESIDENT: Will the honourable member come to the point?

Rao Bahadur R. R. KALE: My complaint is that if the Irrigation Department had been a transferred subject it would have been under the control of the Minister who is a representative of the people. My point is that in undertaking huge schemes involving crores of rupees he would certainly have taken into account the needs and the interests of the presidency in that matter. Head 55 deals with big irrigation works and construction and the works which are already under construction whether in Gujarat or Deccan or Karnatak. Under this budget head this huge expenditure is being incurred. Whereas the other works of a more or less important character in Sind, the Deccan and Gujarat, are nearing completion and the expenditure on those works has been practically cut down in the budget which is before us, as will be seen from the remarks at page 128. It will be seen that no other project of irrigation of such huge dimensions is now under construction. I therefore take this opportunity to suggest that the policy of the Irrigation Department should now be diverted into another direction, where I am glad to say a beginning has already been made, namely, the construction of minor irrigation works. So far as this huge expenditure is concerned, as honourable members have suggested, the only thing that we can now do is to see that the expenditure incurred is properly checked. For that purpose I would also support the suggestion made by certain members of the House for the appointment of an advisory committee. I would only add that that committee should, in consultation with the Chief Engineer, submit a report of the working of this scheme together with the accounts, at each session of the House, so that the members of this House will be kept informed of the actual state of things, how far progress has been made, how far money has been spent upon the preliminary works, such as the building of bungalows for officers, and how far money has been spent on the actual works, and so on. In this way the House will be in a position to know how far the work has progressed and expenditure has been incurred. The anxiety of this House in this matter is greater after the sad experience of the Development Scheme. Member after member has got up and suggested that there should not be a recurrence of the loss that we have incurred in connection with the Development Scheme. I would therefore request that some definite proposal might be made by Government themselves for the appointment of a committee, not necessarily of the members of this House, but of non-official experts. I do not agree with the suggestion that the members of this House should go to Sukkur and see the Barrage; I do not approve of it, because after

* [Rao Bahadur R. R. Kale]

all we are laymen and our going there at some cost and seeing it would be of no avail. There must be a committee of persons belonging to that place who can supervise the works from time to time and keep themselves in touch with the work that is going on. Some members of this House might however join them. It is such a small committee that would be the proper body for checking the activities of the department. That is all that I have got to say with reference to this big project.

In this connection I would like to bring to the notice of the House that while the expenditure on the Sukkur Barrage is very huge, expenditure has been curtailed on other projects in Sind, the Deccan and Gujarat. It is stated in page 128 of the Blue Book :

"With regard to other works in Sind and Deccan and Gujarat there is a decrease of Rs. 84,000 in the revised as compared with the budget estimate for the current year and this is mainly due to a large saving of about Rs. 1½ lakhs on the grant for the Nira Right Bank Canal project."

Government have also agreed to cut out the expenditure of Rs. 50,000 for Improvements to the Fuleli Canal and Branches. All these savings in the expenditure on other works in Sind, the Deccan and Gujarat, should leave sufficient money for them to utilise towards works of minor irrigation for which I find provision has been made at page 67 of the Budget. In this connection I must congratulate the Honourable Member in charge on the advance which he has made in previous years. I find that the amount spent on minor irrigation works between the years 1921-22 and 1924-25 was very small indeed. The figures are :

				Rs.
1921-22	..	..	..	25,000
1922-23	..	..	..	Nil
1923-24	..	..	..	20,000
1924-25	..	..	..	23,000

In 1925-26 it was Rs. 92,000 *plus* Rs. 7,76,000. That was really speaking the beginning of expenditure in the direction of extending minor irrigation works. I am glad to find that in the current year there is a provision of Rs. 8,29,000. Out of this Rs. 82,000 is intended to be spent on minor irrigation works, and the greater portion is to be utilised by the Superintending Engineer who has been appointed for this purpose. Now, I shall ask the House only to read a few sentences of the report which this Superintending Engineer has submitted : He says :

"There is no doubt that there is great need for village water supply in parts of all the districts, irrigation water is in great demand and although in some districts the construction of very large irrigation schemes has been urged much can be done by carrying out minor irrigation works spread over a larger area."

Here I must say that it was due to the energy of the then Revenue Member, who is now the Leader of the House that this Special Duty Superintending Engineer was appointed. The Superintending Engineer took great pains to go into the districts and make a survey of the areas to see if there are possibilities of developing these minor irrigation works. The rainfall has been growing deficient and deficient day by day, and it is really very necessary that attention should be paid to this very important factor. Really speaking this work should have been begun long ago,

[Rao Bahadur R. R. Kale]

but better late than never. In the report of the Superintending Engineer we further read :

" In October last I had the privilege of giving evidence before the Royal Commission on Agriculture. In my evidence I expressed the opinion that there was great scope for the construction of minor irrigation works outside the scarcity tract and that many such schemes could be carried out to increase the cultivated area by the employment of some additional staff in each district solely for this work."

While congratulating the Government, as I did, on the step they have taken rather late in the day, I must give expression to the feeling that more money has not been provided for on this head.

Mr. P. R. CHIKODI : Sir, may I know if the honourable member is in order ?

The Honourable the PRESIDENT : Well, I have been drawing the attention of the honourable member to the fact that the subject matter under discussion is the Barrage and not the general policy of irrigation. The general policy can be discussed on other cuts. But as I have said in the beginning to-day, there is some sort of allurements for honourable members to jump into general discussion from whatever point they start.

Rao Bahadur R. R. KALE : I submit, Sir, that it is not only the Barrage that is under discussion, but the whole head 55 Construction of Irrigation, etc., Works. Sukkur Barrage is only one of the sub-heads under that ; there are other large irrigation works in the Deccan. I am pointing out that now that the other projects in the Deccan and Gujarat are nearing completion....

The Honourable Mr. COWASJI JEHangIR : Mr. President, may I rise to a point of order ? The present motion merely proposes a cut on the works on the Barrage. That is the immediate subject before us. The general discussion on the irrigational policy as a whole will come later on when a cut of one rupee or a cut on the total demand is made. The present motion relates only to the Barrage.

The Honourable the PRESIDENT : The point of order raised is perfectly correct. If the honourable member has anything further to say on the subject under discussion he will do so.

Rao Bahadur R. R. KALE : Sir, I have finished my speech.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Sir, I have first of all to point out the most important aspect of this big scheme. And it is that time should always be taken into account. Time is a very essential and important factor in all such big schemes, because every year our interest charges will go on increasing, that is to say, in the year 1925-26 we paid Rs. 17 lakhs in form of interest, then next year we find 26 lakhs and afterwards we shall be paying 35 lakhs in the form of interest. In this way every year the interest charges will go on increasing. Further, according to the original calculations the scheme was to be finished in a period of ten years. Supposing it takes 13 or 14 years, the estimates are bound to be increased and there will be certainly a loss of interest as it was in the case of Back Bay scheme. In the Back

[Mr. J. C. Swaminarayan]

Bay scheme these losses have been brought about by the important fact that the dredger Sir George Lloyd could not do the work which it was originally intended to do. I cannot, however, enter into the reasons why that dredger failed. It is natural that if the work cannot be carried out by the machinery that has been ordered at the rate at which it was intended to do, then the time will also increase. And if the work is not done in the estimated time, there will be greater expenditure than it was originally intended to spend. This is also the difficulty coming in our way and this difficulty was not seen at the time of preparing the original estimates. Now, on page 134 of the Blue Book the first paragraph states :

"The very protracted delays in the delivery of most of the plant already obtained seriously set back the testing of the same and the consequent ordering of further plant besides delaying the works for which it was needed. With the strike situation in the United Kingdom deliveries have been very protracted and indefinite and such conditions are bound to react on the progress of works at Sukkur."

This is a very important point ; if by such circumstances the progress of work is not as rapid as it was intended to be, we shall have to meet heavy losses in all future working of the scheme.

Also at the end of page 133 we have an instance of one tug not doing the work it was expected to do. It is not doing the work for which it was purchased.

The Honourable Mr. COWASJI JEHangIR : Read the note again.

Mr. J. C. SWAMINARAYAN : Yes. The note says :

"The two steam tugs lay at Aden for some time owing to the monsoon and their absence greatly hindered all work in the river. A second-hand tug, the Kalabagh, has been bought recently, very cheaply, from the North-Western Railway, but although she is extremely useful, she is not powerful enough for much of the work required, and in any case she must be laid up as soon as possible for a thorough overhaul."

What does it mean ? That it is also a purchase just similar to the purchase of "Kalu," which had to be reconditioned for four years after its purchase and we had to lose a large sum of money which was locked up in its purchase and in its reconditioning. Similarly, we have to pay attention to very important factors in the progress of this scheme. If the scheme is not successful, then the whole presidency will rue the day when it was commenced. Therefore, it is desirable that the work should be proceeded with rapidly and at the same time strict economy should be practised in its prosecution. On the other hand, on page 189 I find that the higher staff is being increased, as for example, instead of four superintending engineers we have now five superintending engineers, while assistant engineers are being reduced. Instead of five assistant engineers, we have only three. Perhaps the increase of the highly paid superintending engineers is the way in which the work ought to have been prosecuted.....

Mr. MIR MAHOMED BALOCH SHAIKH (In Urdu) : I rise to a point of order. The honourable member's remarks which he is making now should perhaps be reserved for the time when a cut is proposed on the total demand. That is to say, the present cut does not include the whole establishment and so the honourable member is probably not correct in referring to it at present.

Mr. J. C. SWAMINARAYAN : I need not touch on that point, Sir, now. I can deal with it when the cut on establishments comes in for discussion. But it has to be borne in mind that, when such a large amount has been spent from the taxpayers' money of the whole presidency, it is necessary that the work should be done very fully and in such a way that ultimately the presidency would not be a loser. At least Rs. 10 lakhs of the taxpayers' money from famine grant is being spent every year for paying the interest on capital borrowed for Lloyd Barrage. You are spending about a crore of rupees out of famine fund for making this scheme productive. Really speaking, when you spend anything from famine fund to make a scheme productive, it is not really productive because some other funds are being wiped out for the purpose of making it productive on paper. Consequently, the progress of the scheme must be as rapid as possible and it must be done in such a way and with such scrutiny that in future we may not have to mourn for the work for which we have been spending the money, as we have had to do in the case of other projects like Back Bay Reclamation, Industrial Housing and Bombay Suburban Schemes.

Mr. JAIRAMDAS DOULATRAM (Eastern Sind) : Mr. President, I think the trend of the discussion both yesterday and to-day has made one thing very definitely clear, and that is, that so far as the Sukkur Barrage and Canal Construction Scheme is concerned, it has passed the controversial stage. I do not think that there is any opposition from any part of the House to the scheme in itself. It is being recognised that with the scheme is involved not only the question of life and death, as they say, of Sind, but also that the scheme is an asset, and a valuable asset, not only for the Bombay Presidency, but I would go further and say, for the whole of India. I think a scheme which is calculated to irrigate 5½ million acres perennially is a scheme which, if led on to success, should have the support of every one who is interested in the agricultural progress of this country. At the same time, I must make it clear that there are reasons why the public is not quite satisfied, is not quite convinced, that all is well so far as the Sukkur Barrage is concerned. The Bombay Development Scheme and its unfortunate sequel have raised an alarm in the public mind, and I think it is to the interests of Government itself and to the interests of all those officers who have given their labour to the elaboration of the scheme and who are concerned with carrying it into effect that the earliest possible steps should be taken to convince the public that things are all right with regard to the Sukkur Barrage. We have heard, Sir, both now and three years ago the dogmatic statement that every possible care is taken to see that nothing goes wrong either with the estimates or with the actual work which is being carried on at Sukkur. In June 1923, when this question came up before the Council, the honourable member Mr. Harrison made the following statement :

"The construction of the Sukkur Barrage is a different matter, for here we have to deal with a mighty river. Every item from the simplest to the most difficult has to be studied in all its aspects. We feel satisfied after some study and then we begin to see further difficulties and we have to restudy it again. I claim, Sir, that the engineers who framed the designs and estimates of this great work have exhaustively considered every problem that human mind can possibly conceive as likely to arise during construction."

[Mr. Jairamdas Doulatram]

Sir, we know the frailty of the human mind. We know that the human mind does commit what are styled "errors of judgment." Eight years ago there was an "error of judgment" committed at the Jallianwalla Bagh. Two or three years ago there have been other errors of judgment with regard to the Back Bay Reclamation Scheme. A voluminous report of the Industrial Housing Scheme, which was hurled at our heads five or six days ago also proves that besides the people concerned with the Back Bay Reclamation Scheme there are others who also can commit errors of judgment, and the ten pages—and not the hundred pages—which describe the Sukkur Barrage in this Blue Book contain evidence that those people who relied upon the statement that every problem which was likely to arise had been foreseen, that every problem that human mind could possibly conceive as likely to arise had been considered, and that there was no possibility of any further error, were mistaken. I will for the benefit of the House read one or two extracts from the Budget and I trust the House will bear with me. I quote from page 133, Blue Book, paragraph 7 :

"The excavation of the Eastern Nara by dredger was started as soon as the river level was high enough to permit the dredger to make the cut of required depth. Owing to the presence of hundreds of buried trees which had been used many years ago to make wells and khuadas, progress was extremely difficult and slow, and a length of only 620 feet to the width required was completed before the river fell and the dredger had to be withdrawn."

I proceed further, Sir :

"It is evident that there has been considerable accretion of the river bank here for many years past and khuadas once on the river edge are now hundreds of feet in land. It is believed (only believed, it is not yet certain) that they cannot extend beyond the old river bund, and if so, progress will be much easier and faster when they have disappeared."

Sir, I am convinced that there is much truth in what most of the honourable members on this side have stated that in spite of the bulky report which is before us we know really very little about the Sukkur Barrage Works. I trust my remarks will not be interpreted in any hostile spirit. I want the Sukkur Barrage scheme to be led on to success. I am not one of those who are afraid of the estimates being exceeded. All that I feel is that if estimates are to be exceeded and even doubled, it is essential that we should know in time as accurately as possible where we exactly stand, and having known that position, this Council will I believe be prepared to sanction whatever expenditure may be necessary for a successful completion of the project. I think, Sir, that this little admission probably lifts only a little corner of the curtain, probably we have been fortunate enough to have only a glimpse of what is yet to come. I do not wish that we should be unnecessarily alarmist, but I can certainly assure Government that in spite of all that they have said in 1923 or to-day or will say to-morrow, they will not be able to convince the public unless they are taken boldly into confidence. I am afraid the moral of the Back Bay Reclamation has been lost on Government. I know that there are many engineers whose natural and legitimate ambition it is (and I sympathise with it) to see that their names are left behind when the Sukkur Barrage is completed. I am, however, very nervous of what

[Mr. Jairamdas Doulatram]

may follow hereafter. I cannot understand why Government should resist the repeated appeals of members of this House and the public that an Advisory Committee or rather two Advisory Committees, one to deal with the engineering aspect of the question and the other to deal with all the other questions that remain, should be appointed by this House or by Government. I would suggest that a six-monthly report showing how the work is progressing—say a report in August, a month and a half before the meeting of the Council—and another report somewhere about the middle of February should be published so that the Council and the public could see whether estimates have been exceeded or not and whether any fresh difficulties have arisen and how Government intend to overcome those difficulties.

I was exceedingly sorry to see the spirit in which some members on the Government benches took the remarks of my honourable friend Mr. Mir Mahomed Baloch from Karachi. I was also very sorry to see that not only was their attitude unsympathetic, but that one responsible official of Government should have gone so far as to suggest that the member should speak in English though he knew, I believe he knew, that he could not. I would once again appeal to Government that this is not a matter in which they should take public criticism lightly. It is a matter which not only affects their reputation but it is a matter which affects the finances of this Presidency. What we want to guard against is, that while the future generations will bless those who conceived and carried out this scheme if led on to success, nothing should be done which might cause the contrary to be said in case the project met with disaster. It is these considerations which make us demand that a committee should be appointed.

I would also make a further suggestion that Government should provide special facilities for individual members of this Council to see the works as they are being carried out and to see every part of the project. We should be given every facility for examining each detail of this work.

I do not know if I should go into the question of the distribution of land which is going to be irrigated. I do not know if the discussion on this aspect of the question will be in order when we are on the question of works. Since you say, Sir, that it is not in order, I will refer to one other point and close. I find from the figures given in the Budget that a very large amount of money has been spent for which no sanctioned detailed working estimates are available. I find that while the amount provided for in the revised recapitulations (I am referring to pages 186-87 of the Budget) is Rs. 18,80,00,000 and for works it is Rs. 15,78,00,000, the amount of sanctioned detailed working estimates is 504 lakhs, and yet, if we calculate the total of what has been spent and is proposed to be spent in 1927-28, we shall be surprised to discover that there are as many as 60 lakhs of rupees, out of which 25 lakhs have been already spent, for which no detailed working estimates have been sanctioned. It may be that I have misread the figures; it may be that I have put a wrong construction upon them, and if I am wrong I may be corrected, but it appears to me that 25 lakhs have been spent in 1926-27 for which there are no detailed

* [Mr. Jairamdas Doulatram]

working estimates sanctioned, and it is proposed to spend about 40 lakhs without similar sanction. I believe, Sir, that there is sufficient reason to rouse a little hesitation, a little nervousness, a little lurking suspicion in the public mind that unless the public is taken into confidence with regard to the working of the scheme, it is not likely to give its support to this scheme. And since it is the money of the taxpayer, not only of this generation but future generations, which is concerned in this scheme, I trust Government will make a generous gesture to the repeated appeals of the honourable members and inform us that they are going to appoint a strong committee on which the Presidency side is very strongly represented.

There is one more point I wish to refer to. I find, Sir, that it is expected that 25 lakhs or so is to be paid by the Khairpur State for work done for the canal which passes through the territory of that State. I do not know how far it is possible for Government to say that there is an absolute certainty that that money will be forthcoming in time and I trust that Government will make every necessary arrangement to see that the contribution for which the State is liable is paid in time.

Mr. F. J. GINWALLA (Bombay City, North) : Sir, on going through the figures of the report in the Blue Book and other papers, one finds throughout nothing but huge expenses and extravagance all round, whether we turn to buildings or to the construction part of the scheme or to the establishment side of the project. I have just taken the trouble to total up the items regarding buildings on the Eastern Nara and I find that up to the present they have spent on buildings alone 48 lakhs of rupees. I will give details if the Honourable the General Member wants them. The figures are, actual to the end of 1925-26, Lloyd Barrage, Rs. 16,76,203 ; probable during 1926-27, Rs. 4,96,304, and for next year Rs. 1,31,000. The total comes to about Rs. 23 lakhs. Sir, that is the item for buildings. If the honourable member wants more figures, I will ask him to turn to page 153, where details regarding the Rohri canal are given. The figures given there are for 1926-27, Rs. 3,51,000, and for 1927-28, Rs. 45,400. If he will read further down, he will find that for the Nasrat branch, the provision is Rs. 35,000 ; for the Dad Branch, Rs. 58,000 ; for the Hala branch, Rs. 31,000 ; for the Nasir branch, Rs. 81,000 ; for the Hyderabad branch, Rs. 63,000. Then for the Main canal and branches there is a provision for buildings of Rs. 1,60,178 ; then there is another item of Rs. 33,000. Then on page 166, for Main canal and branches the provision for buildings is Rs. 1,24,000 ; that is for Khipro canal. For Thar canal, the provision is Rs. 79,767. These amounts have actually been spent on buildings for the Eastern Nara Canal.

Mr. C. S. C. HARRISON : I am afraid I cannot follow the honourable member. He is talking about the Eastern Nara Canals System. This motion refers to the Barrage.

Mr. F. J. GINWALLA : I refer to all these works, the Rohri canal, the Dad canal, etc. The total comes to Rs. 48 lakhs on this item of buildings. If the honourable member wants the pages, I will furnish

[Mr. F. J. Ginwalla]

them to him. The figures for the Nasrat branch will be found on page 155 ; the total is Rs. 35,000 ; on page 156 he will find the figure for the Sehra branch ; there Rs. 16,000 have been provided. For the Dad branch the figure is Rs. 58,000. Does the honourable member admit the extravagance there ?

So, Sir, as regards the buildings, we find that there is extravagance all round. As my honourable friend, Mr. Mir Mahomed Baloch, pointed out, not only are buildings provided, but expensive gardens are also provided,

Sir, the next point I want to urge before the House is this. Who is the officer in charge of this work ? I understand it is the honourable member Mr. Harrison. If that is so, I should like to know what are his qualifications for carrying out this big scheme. I do not know whether we will be told by Government that this officer has had 30 years' previous experience. We have had experience of Mr. Lewis as Resident Engineer for the Reclamation scheme, and he was described as an experienced officer. But we were told in the Mears Committee Report that he has not had any previous experience of such large kinds of work ; we were also told that he was not energetic enough, that he had not sufficient driving power, that he was given estimating work, and all sorts of things. I want to know from the Honourable the General Member as to what are the qualifications of the honourable member Mr. Harrison for doing this kind of work, and whether he is also given estimating work, whether he has got the necessary driving power, whether there is any system for checking his work, whether there is any system for finding out whether the work progresses properly, and whether there is any person besides Mr. Harrison to advise the Honourable the General Member as to the technical part of it. I presume that the Honourable the General Member is as much a layman as myself in regard to these engineering projects. Therefore, I would like to know what are the checks placed by him, and who is going to advise him in regard to these technical matters.

The next point I want to make is this. I fully agree with my honourable friend the member for Sukkur and Mr. Jairamdas Doulatram that it is absolutely necessary that if Government want a check on this work, there should be an Advisory Committee. I also fully agree with him that this House must be informed from time to time, by means of quarterly or half-yearly reports, as to the progress of the work and whether the estimates are exceeded or whether the work under report has been completed within the estimates, so that we may know where we are.

Then, Sir, as pointed out by the honourable member Mr. Swaminarayan, a second-hand tug has been purchased, and that it is being sent for overhauling and repairs. I just want to ask the Honourable the General Member as to why he wasted money in buying a second-hand tug, which is not capable of rendering any service. I find that the same thing was done in connection with the Back Bay. The "Kalu" and the "Jinga" were purchased second hand ; they were not capable of doing any work ; they had to be overhauled at the public expense, involving a waste of time and money. I should like him to see, Sir, that such mistakes are not committed so far as the Sukkur Barrage is concerned.

[Mr. F. J. Ginwalla]

Another point that I want to make out is this. This scheme is not only for the good of the Presidency, but also for the good of the whole of India, and therefore there should be sufficient checks on the working of the scheme. What I want to point out is that this Presidency alone should not bear the cost of the scheme, for the simple reason that the Government of India also benefit indirectly on account of the increased railway transport owing to increased produce. When the scheme is completed, there will be increased railway transport in that area. In addition to the increase of the revenue from railways, there will also be an increase in income-tax. So, in these two particular directions the Government of India will benefit. I would therefore request this Government to call upon the Government of India to substantially contribute towards the cost of this scheme.

Lastly, I want to say that nobody wants to go against this scheme, but our anxiety is that future generations should not suffer, that the present generation should not suffer, and there should be economy and retrenchment. For that purpose, I have already given notice of a resolution that a committee should be formed, consisting of non-officials, to go into the scheme, and to suggest ways and means as to how far we can curtail the expenditure, as to whether the scheme can be curtailed, and as to whether there is any way in which they can retrench. When that resolution comes before the House, I hope the Honourable the General Member will accept it.

There is one point to which I should like to refer, before I conclude, and that is in regard to the attitude that was shown by the officials towards my honourable friend Mr. Mir Mahomed Baluch. I say that that attitude is not what it ought to be. When honourable members of this House take the trouble to visit the works, the only response that is given by the officials is to say that they are too busy. I say that is not the right attitude and the correct attitude to be adopted by Government Members and the engineers at work there. On the contrary, they should take the public into confidence, and give honourable members all sorts of facilities to see what is going on. The conduct of the Musto deserves censure.

Mr. C. S. C. HARRISON : Sir, so many details have been raised during this discussion that I fear I shall not be able to deal with them all. I would just deal with some of the most important points in which the honourable members of this House are interested.

I shall take the last speaker, the honourable member for Bombay (Mr. F. J. Ginwalla), first. I want to dispel one misapprehension on his part as regards the buildings. The total cost of the buildings for the whole project is given in the blue book and not for Eastern Nara Canal alone. The figure put down there is the grand total, the maximum probable, for "buildings" for the whole project. I explained this to the House last year. This question was gone into very carefully by the Honourable the General Member and me last year, and we consulted honourable members from Sind who are more intimately acquainted with the country and therefore know more about the requisite position of buildings.

[Mr. C. S. C. Harrison]

I sat with a number of them and we went through all the major building programme, i.e., inspection bungalows. I asked honourable members from their local knowledge of the country to assist me by stating which buildings they considered unnecessary. They suggested that the construction of some of these buildings should be stopped or postponed and I noted such. As regards one or two of the buildings which they suggested should not be constructed, such will remain unbuilt until we prove that they are absolutely necessary.

Mr. JAIRAMDAS DOULATRAM : May I know the names of those members who were consulted ?

Mr. C. S. C. HARRISON : I have not got the list with me but I can supply it to the honourable member if he so desires as soon as I return from Karachi.

I wish to draw the attention of honourable members to the fact that this building programme does not mean the construction of palatial buildings. This item includes every form of construction that can be brought under the expression "buildings." I have got with me a list of the buildings that have been constructed and will be constructed during the current year and next year. In the future programme of buildings there are an enormous number of small buildings which are necessary adjuncts to the canals, such as landhis, chaukidar huts, etc. In a scheme that costs over Rs. 18 crores the grand total of a very large number of very small buildings will come to a considerable amount. There is no getting away from that fact. So far as inspection bungalows are concerned I have issued orders that not a single bungalow is to be constructed until full reasons are given to me and estimates are submitted to me for scrutiny and sanction is obtained. That is the control I exercise over the construction of bungalows and honourable members need not have any apprehension as regards extravagance on this point. (Mr. P. J. Murzban : Will the honourable member enlighten us on the point whether these buildings will be sold after the completion of the project ?) I will answer that. I am glad that the honourable member has raised that point now. Buildings that are saleable will be sold, all the buildings on the canals will be required even after the completion of the project for purposes of inspection, etc. The major portion of the expenditure on buildings in the township of Sukkur is expected to be recovered. They are at present required by Government for the supervision of the works and after the completion of the scheme most of these buildings, particularly the smaller ones, can be sold. Having this in contemplation we have consulted certain members of the general public in order to design the structures in such a way as to suit the public when they are put up for sale after the completion of the work. We have especially designed the smaller buildings on this principle. The larger buildings are of simple bungalow type. The mere fact that some have upper storeys need not lead honourable members to the conclusion that they are palatial buildings. We considered the question and decided that it was better to build upper-storeyed bungalows. (An Honourable Member : How many rooms are there in each bungalow ?) I have not counted the number

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of small rooms and cupboards, but I will mention the accommodation to the best of my ability. In the Superintending Engineer's bungalow, there is a drawing room and a main hall in which there is a staircase; there is a dining room and next to this a small room which is used as office, when the officer is not working in the public office. He has got to do a lot of work outside office hours. Above the drawing room there is a bed room and a dressing room, with a bath room attached to it. On the other side of the main hall where there is the staircase, there is one smallish bed room and a dressing room which can be used as a very small bed room in case of emergency. This is the biggest type of house in the Barrage Townships. It is less than the accommodation provided for officers of similar status in Hyderabad, Larkana, Sukkur and Karachi. (An Honourable Member: What is the amount that will be recovered by sale of buildings to the public?) Somewhere about three-fourths of the buildings that will be constructed in the Barrage Townships will be available for disposal. We shall permanently require the bungalows on the canal systems. The only saleable buildings therefore are those in the two townships to which I have already referred. (An Honourable Member: What proportion of the cost on tools and plant you expect to recover?) The salvage value is estimated at 60 per cent. of the original cost. For such buildings as will be available for sale we estimate 60 per cent. salvage value, but I shall be surprised if we do not recover 100 per cent. on these. I repeat that I am prepared to show to any honourable member the detailed building programme I have with me here for the next year.

I now will deal with the remarks of the honourable member from Hyderabad (Mr. Noor Mahomed). He resents the fact that the working estimates have not been prepared so as to conform to project estimates for distributaries and water courses: last year I pointed out to the House the difference between *Working Estimates* and *Project* estimates. The project estimate was prepared on the basis of an acreage rate, i.e., it was not in detailed thousands of cubic feet of excavation. What we have to do when we start a work is to see whether the sanctioned estimates compare with our *Working* estimates framed in the light of the latest information available for the work we are going to undertake. If any item of work exceeds the figure in the working estimate, I will not except in exceptional cases allow expenditure to be incurred unless the working estimate is sanctioned by me or by Government. As all bills are paid *after* audit, the audit officer will not make payments if there is no authorised working estimate or my special permission has been obtained. I trust that it will be realised that whilst working estimates are absolutely necessary, we cannot hold up urgent works if we can book expenditure against the project provision. In such cases the working estimates are prepared with all possible expedition so as to remove formal audit objections. The honourable member for Eastern Sind complained about the failure of the dredger in the Eastern Nara Cut. Well, Sir, it was only an experiment that was carried out. The dredger was not bought for that purpose; both dredgers were bought for the purpose of excavating the foundations

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of the Barrage and regulators. But it was thought that it might be possible to occupy their idle time in excavating the Eastern Nara Cut. We tried the experiment last year ; and it was not satisfactory. Excavation of the Cut by dredging was not provided for in the project estimate. The estimate for the Eastern Nara Cut was based on hand labour. The dredgers must lie idle for seven months in the year as they have only foundation work to do and we cannot work them when the river is in flood. It was not so much that the dredger had to be used ; it would have served a good purpose if it had proved successful.

Mr. JAIRAMDAS DOULATRAM : I never said that the dredger was a failure. I was making the point that it was not anticipated that there would be this difficulty with regard to digging, namely, that we would have underground trees. It was a surprise to Government, as Government have been compelled to admit. Every possible difficulty conceivable by the human mind ought to have been taken into consideration.

Mr. C. S. C. HARRISON : I am glad to hear that from the honourable member, but he definitely referred to the Eastern Nara system. If he had stated that he referred to the foundation of the Barrage, I would have admitted that we had overlooked that point.

The honourable member from Sukkur also touched on this question of the dredgers. Now, if he, as I have asked him on more than one occasion, had cared to meet me either when I was at Sukkur or at Karachi, I should have been in a position to have given him the greatest possible information. I have not had the pleasure of having had a call from him when I have been either at Sukkur or in Karachi. I would repeat my invitation to him now and to any honourable member who is likely to be in Karachi or anywhere while I am touring. I shall be more than pleased to give him information if he will come and ask for it. It is most difficult for me in Bombay, where I am only for a short time, to try and supply all the information asked for.

He complained that the dredgers were not tested in England. The honourable member is wrong. The dredgers were put through a test in the Clyde in Scotland before they came out to this country, but we took the further precaution of their undergoing further tests at Sukkur.

An Honourable MEMBER : What was the outturn on the Clyde ?

Mr. C. S. C. HARRISON : The outturn certified by the High Commissioner was in excess of the guarantee required, a good deal more than the specification ; the actual figure was, I think, 12,000 cubic feet per hour.

An Honourable MEMBER : Was the material similar ?

Mr. C. S. C. HARRISON : As a safeguard against dissimilarity of material we took the further precaution of stating that at the option of the Chief Engineer the dredgers should go through a further trial at Sukkur.....

Mr. J. C. SWAMINARAYAN : Which was the firm of manufacturers ?

Mr. C. S. C. HARRISON : Messrs. Lobnitz & Co., Renfrew, *not* Messrs. Simons. We specified certain tests at Sukkur ; I cannot go into great

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details, but we tested the dredgers and on several occasions they failed, but we made them continue the tests until they gave us 8,000 cubic feet per hour. The trial was for a period of 6 to 10 hours, and not 2 or 3 hours as suggested by the honourable member from Sukkur. We found it difficult to keep the vessels in position in the rapid current of the river, but we tried them out until we got the specified output. We did not pay for the dredgers until they gave us the specified output; one of the dredgers was accepted in January and the other in March.

Then I come to another point raised by the honourable member from Hyderabad. He said that he trusted that Government would convince the public that all is well with the Barrage. I know that not even for one moment will the majority of members accept from me the fact that all is well with the scheme. The honourable member said that immediate information should be given of any possibilities of any mishaps or other unforeseen things occurring. I would submit to the House that that information has been given as promptly as I could possibly give it.

Mr. JAIRAMDAS DOULATRAM: I never said that immediate information should be available. I said that six-monthly reports should be given. I asked for two reports.

Mr. C. S. C. HARRISON: The honourable member, I think, said that information should be given to the House as soon as it was possible. I have given the latest figures. My report was written on the 6th of January, and the Honourable the General Member has given the gist of it to the House in the first week of March. That is the earliest information that could be given of our interim forecast.

Another honourable member has talked of the possibility of the estimates going up from 18 crores to 24 crores, or even doubling. Well, Sir, I would remind honourable members that criticism is easy to make; I welcome well-informed criticism, but I would like honourable members to be reasonable in the statements they make. The information that I have available at present has been supplied to the House by the Honourable the General Member when making the demand put before the House, and that is the latest information I have. That shows a probable excess of 3·3 per cent. Now, I would like to inform the House that that 3·3 per cent. probable excess *includes* the 100 per cent. anticipated excess under the distributary system under the Rohri Canal, more than 75 per cent. excess that he mentioned as probable in the Western Circle Canals, and more than 75 per cent. excess that he considered probable on the North-Western Circle Canals, and also a small excess under the Eastern Nara Canals. So that at the moment of preparing my forecast, which I repeat has been dealt with by the Honourable the General Member, I included every possible liability that I could foresee. I repeat that it includes the big excesses that the honourable member from Sukkur has mentioned as probable. Every single item from "A—Preliminary" right down to the last item "O—Miscellaneous" has been considered and dealt with. The *pluses* on one side and the *minuses* on the other have been taken into consideration, and on the basis of the latest information available the excess is not likely to be

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more than 3·3 per cent. of the project figures, which includes, as pointed out, Rs. 55 lakhs for Customs. The honourable member for Hyderabad quoted a part of the speech I made in this House in Poona in June 1923. As I have said, up to the time the budget was prepared we have considered every fact that came before us and I have submitted the information to Government. The detailed working estimates will, as soon as they are prepared, give us still more accurate figures, but I shall be surprised and disappointed if I find that they exceeded the figures I have now given. I hope honourable members will be convinced that up to the present moment there is no question of there being a possibility of a Rs. 8 crores or 14 crores excess, so glibly spoken of by some members. We have worked out the figures to the best of our abilities up to 6th January and the excess I estimate is 3·3 per cent. This is vastly different, from the 50 to 100 per cent. excess mooted by some members. The honourable member from Sukkur has mentioned that we have started the work on the Barrage very late. I would inform the members of this House that the reasons have been given fully in the Blue Book and they will know why we were late in starting the work on the Barrage. I have endeavoured to give the fullest possible information in the Blue Book. The information I have given has covered about sixty pages of the Blue Book, and if I had time I would have given more detailed information which could have covered volumes, but I am afraid honourable members would not have had time to read it all!

Again, we have another member from Karachi who said that masonry work has not yet been started. I may tell him that it has already been started.

Mr. H. B. SHIVDASANI : Was it started after 3rd of February ?

Mr. C. S. C. HARRISON : It was started on the 11th of February.

Mr. MIR MAHOMED BALOCH SHAIKH : May I know when the masonry work was started ?

Mr. C. S. C. HARRISON : I have just now answered that it was started on the 11th of February. Then, further, Sir, it has been stated in the Blue Book that we are behind time to the extent of 18 months. I would give this House further explanation on this point. When this big project was undertaken it was found that we required more than one year for preliminary work ; without very careful preliminary work it is not possible to start the main work. I may tell this House that very large works which were under construction in Deccan took in some cases 2 years for preliminary work, for a period of 20 to 25 years, whereas honourable members know that we have really taken only 28 months. We have started the work on the Barrage regulators this cold weather, as I anticipated in my last year's speech. We are not omnipotent ; if we were omnipotent, then we would have constructed the Barrage in one year, and possibly we could have arranged to do so without the taxpayer bearing the cost. But, alas ! we are not omnipotent and must therefore be treated as mere mortals. I have said that we are endeavouring to operate the Barrage Canals by the 1st of May

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1931. I expect that, if all goes well, it is quite practicable to operate the Barrage by that time. We shall, of course, be behind time by one year, but I would point out that the project report anticipated that the canal will be opened in several sections, whereas, due to the good progress on the Canals, we hope to increase the extent of each section to be opened in the year 1931 and so may gain rather than lose in revenue. In other words, we have recast the proposals in the light of the information now available.

I would now turn to the remarks of the honourable member for Ahmedabad (Mr. Swaminarayan). He told us that if the construction period is lengthened, the interest charges will increase. I may inform him that we hope to reduce the accumulated interest charges by a reconsideration of our progressive programme. He will find in the book placed before the House that we have already actually saved a large amount on interest charges. In the early part of a scheme the interest charges mount up enormously unless great care is exercised. As regards the forecast expenditure, the direct charges were forecast as under :—

In 1923-24	..	Rs. 62.5 lakhs
„ 1924-25	..	„ 285 „
„ 1925-26	..	„ 199.1 „

That would come, say, to 546.9 lakhs as forecasted. Against that we have 'actuals' up to 1925-26 of Rs. 371.9 lakhs. We have thus got a saving of interest on a sum of about 1 crore and 75 lakhs up to that period. As regards the general progress of work, I have already stated that we are in a very favourable position to-day. I cannot say anything further than what I said in 1923, namely that we are dealing with one of the greatest rivers in the world, and we have to face a host of difficulties. We are trying our best to meet these difficulties so far as human foresight allows. We have started the battle; and are out to win. We have to prolong the fight up to the last moment and we look for success so that we can commence irrigation in the hot weather of 1931.

I think, Sir, I have dealt with most of the important points raised by honourable members. There is one more point that I would like to touch on, because the honourable member from Sukkur referred to it, and that was the quarry plant. I should have been very pleased if he had discussed this matter with me before he brought it up in this House, as I should have then explained everything to him to his satisfaction. The quarry plant at Sukkur is one of the most up-to-date plants in the world, and we hope a good deal from this plant. It has worked satisfactorily on the whole. There are certain failures. That is to say, we have found that drilling by compressor is slightly more expensive than drilling by hand. We shall drill by hand or drill by compressor, whichever is most efficient. The fact must not be lost sight of that the work has to be done on a very large scale. When the maximum demand takes place, hand labour cannot compete with modern machinery for outturn of rubble or any other form of stone. Therefore, we must have modern machinery even at a slight increase of cost. The old bullock cart for instance is extremely hard to beat in cases where you have not

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unlimited time, but when time is limited we might resort to more up-to-date methods even at an increase of cost.

Mr. B. G. PAHALAJANI : Have you issued fresh tenders for manual labour ? At what rates could you have that ?

Mr. C. S. C. HARRISON : No. I cannot give the honourable member the information he apparently requires but if he pursues the matter personally I will endeavour to assist him to obtain the information he seeks.

Then, Sir, there was one further fear expressed by some honourable members about the "Kalabagh" and the two new tugs we have. I do not want this to be raised as a bogey and mixed up with the dredgers "Kalu" and "Jingra". The names Kalu and Kalabagh are somewhat similar ; but the vessels are absolutely different. The "Kalabagh" was an old paddle-wheeled steamer used by the North Western Railway for many, many years. I think she goes back to the year 1910. During the war she was used in Mesopotamia and elsewhere, and then she was returned to the North Western Railway. Last year we bought this steamer from the North Western Railway for only Rs. 10,000, its original cost being above Rs. 1,00,000. The vessel was not in perfect repair ; but owing to the delay in our getting the two new tugs which were ordered from England, I decided that it was a very cheap bargain to purchase the "Kalabagh" for Rs. 10,000. So it was purchased and brought down from Kalabagh to Sukkur. She has been extremely useful, but she was not able, when the current was extremely rapid to do the work that the two tugs from England should have done. The names of the two tugs from England are "Courageous" and "Tenacity". The latter's name seemed to have encouraged their tenacious stay at Aden. The "Kalabagh" has been a very good bargain. She will cost about Rs. 7,000 or Rs. 8,000 for overhauling. I gave that information—*vide* remarks in the Blue Book—to the honourable members because I thought that they would be very surprised at the price paid for the vessel, namely, only Rs. 10,000. When it was such an extremely cheap bargain, I had to point out the other side of the picture.

Mr. JAIRAMDAS DOULATRAM : May I draw the honourable member's attention to the remarks in the Blue Book which say :

"She is not powerful enough for much of the work required."

Mr. C. S. C. HARRISON : Exactly, Sir. She was taken as a make-shift until the two tugs from England arrived. As soon as they arrive, they will do the more powerful work. But she was a very good make-shift. I may point out to the honourable members of this House that within two months of our buying that tug we were asked to return it to the railway at a higher price. She has done exceedingly well within her capacity. She is an old vessel and she was not brought to face the high flood currents of the Indus. I repeat that she has done excellent work and she has *not* been a failure. She has been a very great success, and the taxpayer's money has never been better invested. With these remarks, Sir,.....

* **MOULVI RAFIUDDIN AHMAD**: We have heard nothing so far about the "bridle".

• **Mr. C. S. C. HARRISON**: The honourable member from Sukkur referred to a bridle being placed on a certain officer. I presume he refers to the alleged discourteous treatment of the honourable member from Karachi. The matter is a simple one. The honourable member from Karachi wrote to me and requested me to give facilities to him to go round the works at Sukkur and see them. I replied to him,—I think it was on the 29th or 30th January,—and wrote to the Superintending Engineer asking him to give the honourable member every facility to see the work. The Superintending Engineer had left for Karachi on the 29th or 30th January to see me on an urgent matter. He arrived at Karachi on the 1st February, so it was not possible for him to get that letter. He arrived in Karachi on the 1st and was with me for two or three days to discuss important matters. He arrived at his headquarters on the morning of the 3rd and he went straight on to his works before seeing his post. His personal assistant had opened one of his letters, which was from the honourable member himself. He very considerably sent a message to the dak bungalow and asked the people there to be kind enough to reserve accommodation for the honourable member. That was all that he could do. The honourable member had not even seen the Superintending Engineer before: so that his visit to the works was a surprise to the Superintending Engineer. The honourable member from Karachi does not know English; it is no disparagement to him that he does not know English. The Superintending Engineer is probably as defective in his Hindustani. So, we have there a setting for a comedy of errors.

Mr. MIR MAHOMED BALOCH SHAIKH (In Urdu): I want to ask, Sir, how the honourable member the Chief Engineer says the Superintending Engineer does not know Hindustani well; he knows Hindustani better than many officers generally do. The Chief Engineer says the Superintending Engineer had not opened the letter on the first day. But on the second day, when I went to the works and saw him there, he ought to have said: "Oh, I had not seen your letter before; now I have seen it and know all about it."

Mr. C. S. C. HARRISON: Sir, there was a real misunderstanding. I have been into the question. It was a very small matter and I am very sorry that the honourable member brought it up in this House. He also broadcasted his objections to the treatment he received. He wrote to me and I replied to him. He had made one statement in his letter, to which I took very strong exception. The pity of it was that he got that letter written for him and I do not think for one moment that he meant what was said in the letter. There was a paragraph 7 in that letter, which contained an insinuation against the honesty of the Superintending Engineer. That is to say, he insinuated that the Superintending Engineer did not want him to see the work because it was in so disgraceful a condition that nobody would like it to be seen by any honourable member. I feel certain that the honourable member did not know the purport of what was written in paragraph 7. I wrote back and said

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that paragraph 7 contained an insinuation against the Superintending Engineer which I trusted he would withdraw. The moment he withdraws it, I will be very pleased to answer his letter of complaint. It was quite a simple incident, which could exactly have been very amicably settled between myself and the honourable member from Karachi.

The honourable member's name is Mir Mahomed Baloch. The Superintending Engineer used the word "Mir", as he thought, perfectly correctly as he presumed that that was the honourable member's title. "Mir" is a common title in Sind applied to a certain upper class. The Superintending Engineer informed me that he had absolutely no intention of being disrespectful to the honourable member by omitting the word "Mr." or the word "Esquire" in addressing the honourable member.

We have now dealt with the lighter veins as well as the more serious aspects of the project. As regards control the honourable the Finance Secretary has already explained the audit point of view. I do not object to it, but I am dogged by the Finance Department on every possible item. I have several watch-dogs at my heels in the way of a Deputy Finance Adviser and Finance Adviser. They are a nuisance at times, but I welcome them because they are of very great assistance to me in dealing with the finances of such a huge scheme as the Sukkur Barrage.

Khan Bahadur S. N. BHUTTO (Larkana District): Sir, we offer criticism simply to help Government to take up our suggestions if they consider them useful and I hope there has been enough criticism from the non-official side of this House and I will not therefore take up much time of the Council.

I see, Sir, that for nearly last two hours there have been suggestions made from all parts of the non-official House for the appointment of an advisory committee and therefore I feel it necessary to place my view before the House. I cannot understand what good such a committee, if appointed by Government would be as it would consist mostly of laymen and the consequence would be that it would simply put obstacles in the way of the officers executing the works. It is the business of experts who can really help in works like those of the Sukkur Barrage. The appointment of an advisory committee composed of members of this Council would only tend to increase red tape and would thus be of very little use.

The object, I believe, is that there should be enough and proper control over expenditure. I must say that we are very fortunate in having as Chief Engineer, the honourable member Mr. Harrison. He is a gentleman, very hard working and energetic officer, and knows his business very well. That is all. Beyond that I won't go (laughter). There are some others who are doing very well but very few of them know their business (laughter).

If Government consider it advisable, what I would suggest is that there should be one responsible expert who should be directly subordinate to the Finance Department and who should also be in consultation with the Superintending Engineer in charge of Barrage works itself or, if

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necessary, with the Chief Engineer. He should submit his views directly to the Honourable Member in charge of the Finance Department. Then there will be two separate responsible officials responsible to this House, and Government. One will be the Chief Engineer and the other will be the expert financial adviser; the former will assist the Honourable the General Member while the latter will assist the Honourable the Finance Member. I think this suggestion should be taken up in order to satisfy the House. That would give far greater satisfaction than the appointment of an advisory committee composed of laymen.

Before I sit down I should like to know from the Honourable the General Member, he stated that the estimates have been exceeded 61 lakhs. I would like to know whether the amount that was provided for improvement of the Begari Canal has been excluded from the sum, because I understand about 70 to 80 lakhs were provided for that improvement and these works have been dropped, as otherwise excess would go over one crore and forty lakhs. Remodelling at Begari is a very important and urgent question and I hope the Honourable the General Member will look into it and bring it before the House in July next. It is a very profitable concern, the cost will be not more than half of the amount that had been provided in the Barrage Scheme for these works. If that amount of 70 to 80 lakhs has been excluded, then the estimates will go up by 140 lakhs. The House would like some information about this point.

The other point I would like to raise is the question of the extension of Barrage works in Baluchistan, which would be irrigating lands belonging to Baluchistan through Khirthan branch when Barrage works are completed. We ought to have more information on this subject because the Bombay Government is under no obligation to the Baluchistan Government. If the Bombay Government is not insisting on the Baluchistan Government to share the cost to the extent to which Baluchistan zamindars would profit by the Sukkur Barrage, then it would be most unfair to the Bombay Presidency and its taxpayers. I know very well that the officers of the Baluchistan Government are very difficult to deal with and have got tremendous expense over the officials in Sind. Sind officials ought to realise their duty to their own people and to their own Government. The Bombay Government should put it up to the Baluchistan Government that they must spare the cash otherwise Khirthan branch ought to be dropped. What a sacrifice to spare water from one's own river and waste huge capital and no return except ordinary revenue, when the lands in Baluchistan now are worth not more than 5 to 10 rupees an acre. It will in course of time go up to Rs. 400 to 500 after the Barrage is completed. Is it fair that the Baluchistan zamindars should benefit to that extent at the cost of Bombay taxpayers and that the Bombay Government should not be entitled to take a share of it. I had brought this matter to the notice of the General Member while Chief Engineer, Barrage, was with him, who admitted the force of my arguments. He replied to me that he would go into the whole question, but I do not know what consideration he has given to it as yet. I know there was a conference at Jacobabad where the Chief Commissioner

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of Baluchistan and the Commissioner in Sind met in conference with some of the Collectors. The Chief Engineer, Barrage, was also there but I do not know whether the representatives of the Bombay Government were able to impress upon Baluchistan Authority to what extent they were to be profited and that they, I mean, Baluchistan Government or on its behalf India Government must compensate the Government of Bombay.

Now, Sir, I would only touch one point. I find that some of the honourable members of this Council are very anxious to visit the Barrage works, at the cost of the public. Now, I do not know whether they have got any justification to ask for that privilege, because that will also burden the people of Sind further. If they are very much interested in works, they ought to spend money from their own pockets, and have a pleasant trip. If they will come over to us, we will receive them and look after them, but they ought not to ask that the public should pay for their passage.

The Honourable Sir CHUNILAL MEHTA : May I ask the honourable member to just elaborate this point about having a technical adviser directly responsible to the Finance Department ? Of course, the Finance Department is very flattered by the suggestion, but I do not see how divided responsibility can work, and I should like just to ask him to make a little bit more clear as to what his proposals are.

Khan Bahadur S. N. BHUTTO : Sir, I don't suggest divided responsibility, I mean that there should be an expert, who will be subordinate to the Finance Department, and that he ought to report to the Finance Department from time to time as to whether all the money that is spent is well spent, so that the department will have independent information about everything that goes on. The Finance Department ought to be considered as the direct head for the control of the money that is spent over the Barrage. This department ought not to allow any expenditure, in case their expert is doubtful until that particular subject is further investigated. The Finance Department has got no other source of information except through the Chief Engineer for the Barrage, the Honourable the General Member. The department has not got its own independent expert. It has to depend for the information on what they receive from the Honourable the General Member. But, if there is another expert, who is a technical man, who can understand matters, and advise the department from time to time, I think we will have two separate and independent opinions, at least for our satisfaction. That will serve the purpose far better than the committee that is suggested.

There is only one matter to which I wish to refer before I sit down. I am informed that there are some rules and regulations of Government that a Chief Engineer cannot be allowed to remain as Chief Engineer for more than 10 years. I understand that Mr. Harrison has got to retire from service in 1931 ; he will simply clear off to England before the fate of the Barrage is known. So, if anything goes wrong with the scheme he cannot be held responsible for it. So, Government ought to secure him that he shall not be allowed to retire from the service till the Barrage

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is completed. It is absolutely necessary that there should be the same officer responsible for the completion of the work who has commenced them. If the present Chief Engineer retires before the completion of the work, and another man is put in his place, if anything goes wrong, it will be difficult to fix the responsibility on any of them. Therefore, I think it is necessary that the present Chief Engineer must stick to his job till the end, and it must be made clear to him that he will not be allowed to retire until the Barrage is completed.

Mr. B. T. DESAI (Bombay City, South) : Sir, I think the case for an advisory committee is amply made out, but when I heard the last honourable member speaking, I thought that I should speak something on the matter. Before I meet his objections, I would go to show how the case for the advisory committee has been made out. I am very much thankful to the honourable member the Chief Engineer that he has helped me in making out a case for the advisory committee. I have followed his speech very carefully, and I find that the remarks which he has made strengthen the case for the appointment of an advisory committee. I must take this subject in the same chronological order in which he has taken it. First, take the buildings. What is the complaint about the buildings? The complaint is that the buildings have been costing more, and that the buildings have numerous rooms and, according to the opinion of the honourable member Mr. Mir Mahomed Baloch, that is absolutely unnecessary. When he said that there were as many as 12 rooms in a bungalow, I think the Honourable the General Member showed his surprise whether the buildings could have so many rooms. I asked the honourable member the Chief Engineer a question, and he was kind enough to give me very nearly the number of rooms which he says the biggest bungalows possess. Of course, he has not given us the number of rooms in the smaller buildings. But if we take an average, I think for this work and for temporary residential purposes such buildings are too costly for the scheme for which they are intended. I also think that if one has a mind to economise, he can do so. If one has a mind to live like a lord also, he can do so, and at the same time try to show that these are not palatial buildings, but worse than sheds. Of course, everything depends on the idea of a palatial building which he has and the idea about it which the honourable member who is objecting has. But if we take the middle course, if we take the average, my submission is that the buildings that have been built, the size of the rooms, and the accommodation that is given, each bungalow costing as much as Rs.45,000, is on a lavish scale. I say that the expenditure is enormous, and I may go to the extent of saying that it is a scandalous waste of public money.

Mr. C. S. C. HARRISON : May I correct the honourable member ? He has gone astray, I think. There are only two bungalows costing Rs. 45,000, in the whole of the Barrage area. They vary from Rs. 800 a building for pattewalas right up to that.

Mr. B. T. DESAI : Of course, so far as the enormity of the expense is concerned, I do not think the explanation puts us in any satisfactory

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position. The whole scheme is going to cost Rs. 18,53,00,000, and I understand the expenditure on buildings comes to above Rs. 50 lakhs. Now, Sir, Rs. 50 lakhs is one-thirty-sixth part of the total expense of the scheme, and that is the expense on buildings.

The Honourable Mr. COWASJI JEHangIR: What do you mean by buildings? Residential buildings only? The total is not for residential buildings alone, but for all sorts of buildings.

Mr. B. T. DESAI: I understand that Rs. 25 lakhs is for residential buildings.

Mr. C. S. C. HARRISON: No.

Mr. B. T. DESAI: Whatever it may be, let there be a dispute about it between the Honourable the General Member and the Chief Engineer; but that is the real amount that is going to be spent on buildings. Anyhow, we can clearly understand from the figures that are given that one-thirty-sixth part of the money on the whole of the scheme is to be spent on buildings, for the comforts of the officers engaged on that scheme. I do understand that they require comforts, of course; they are very hard-worked people. But from what some honourable members say, some of the officers might not be hard-worked. We have got experience of the officers who are over-worked, and we know the officers we have to deal with in India. Still, making allowance for all these things, the comforts they aim at are more than required. Comforts in the shape of buildings of a palatial nature are not necessary. All that is required is an ordinary, humble dwelling where an ordinary gentleman can pass his life comfortably. In such big schemes we will have to determine whether the scheme is well conceived. This is my bitter experience of the Bombay corporation which launched a scheme of water supply with disastrous results wasting public money and raising the estimate three times of the Kasheli bridges. The estimate was prepared without taking borings and it was placed before the corporation. The corporation passed the estimate. The municipal commissioner in his enthusiasm to supply water to the populace omitted to take borings. The estimate was raised three times. That is our experience that when we have to rely on the advice of experts we have to see that the schemes are prepared carefully. My experience teaches me to be very careful about the advice of experts and explanations given by them and about the way in which the schemes have been conceived. If any example is needed we have got the bitter experience of the Back Bay. First we have to consider how the scheme has been conceived. I have made certain enquiries and I am told that the Barrage is devised to divert the water and to accumulate it in order to give a perennial supply to the canals, which may change the course of the river Indus. The first essential point is whether this barrage will divert the course of the Indus. If the river really changes its course it will mean a waste of 18 crores of rupees. Therefore it is very necessary even at this stage to examine whether the river will change its course as a result of this barrage. If there is the least likelihood of its changing

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its course then it is advisable for us to avoid further waste of money in future and avoid that disaster. There are many technical matters on which two scientific experts do not agree. We will have to examine the technical matters involved in the scheme. One expert engineer may order out certain tools and plants and another expert may say that they are not necessary and between the two money will be wasted. We have the example of the Housing Scheme. Certain things were ordered out and nobody would take the responsibility for it. When a question is put and pushed no good comes out of it. I wish that such things may not happen. For that very thing an advisory committee is necessary. The Chief Engineer says that the excess will be 3·7 and says : Do not be frightened by the excess. Somewhere 100 per cent. is allowed and 200 per cent.....

Mr. C. S. C. HARRISON : I never said any such thing. I said that the excess was only 3·3 per cent.

Mr. B. T. DESAI : Let it be 3·3 per cent. or anything he says : Don't be frightened by this excess, we are within our bounds. I can tell you it is very difficult to work out the figures placed before you and sanction it without proper examination. Why such an excess has taken place ; why estimates were prepared in such a way as to lead to this excess ? Unless we are satisfied how this small excess, as he calls it, has arisen we cannot proceed further and therefore we should have a committee to examine all these things. He then says that : " we are one year behind time but we are going to make up the delay and give water supply early. " You are trying to postpone the evil and take advantage that way. It is hardly satisfactory. He then says that they have re-arranged their programme. I think that a programme on such a big scheme must have been very clearly defined from the very beginning. What is the re-arrangement in the programme that has been brought about ? I do not know ; but at the same time if there has been a revising of things we ought to know it. Therefore there must be some persons, our representatives, to report on the same.

One thing I heard yesterday and it really made me feel very suspicious. Honourable members from Sind said that Government cajoled them and used all sorts of persuasion and other things which I do not wish to mention, to accept the scheme. We are given to understand that by these means they are made to give their support to this scheme.

Mr. NOOR MAHOMED : I wish to correct my honourable friend. What I said was in connection with the Zamindars of the Fuleli canal. I said that in order to win us over to the acceptance of the barrage project special propaganda was started to remove the apprehensions of the Zamindars of Fuleli and to quieten them on that score. All that referred to Fuleli Zamindars.

Mr. B. T. DESAI : I accept the explanation. I did understand in that way. I thought if these things are working behind the scene there must be something extraordinary which ought to be looked into. My

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apprehension that the estimates are bound to go up is supported by the *Sind Observer* which has favoured very much the Chief Engineer. In spite of the many compliments that it has paid him—I had not the pleasure to do so as yet—it says :

“It is heartening to think that His Excellency gives his word that work at Sukkur is proceeding within the estimates and according to plan. But the more serious part of the job is ahead of us, which is the construction of the Barrage itself across the river. There are some, competent enough to give an opinion that by the time the work is completed, the estimates will exceed by some crores.”

I wish that such things may not happen. In case such a thing happens is it not necessary that Government should accept the proposal of appointing an advisory committee. I do not understand why this discussion should be prolonged and why the proposal is not going to be accepted by Government. Of course on account of the interference of the honourable member Khan Bahadur Bhattu who does not consider an advisory committee necessary the discussion is prolonged. His objection is that this committee will not be in a position to give any help, as its members will be laymen. But the honourable member has not realised that even a layman does carry brain with him, and can understand estimates. They will certainly be of immense help both on account of their past experience on such matters as well as the work they have shown. It is not of course a scientific truth that a layman does not understand a scientific project. I think everybody in the beginning happens to be a layman and he studies. There are cases which do not require much study. Where experts differ perhaps a layman's services may be required. Therefore, there should not be any difficulty in appointing an advisory committee ; I do not know how an advisory committee is going to obstruct their work.

One thing more, and that is the complaint made by the honourable member Mr. Mir Mahomed Baloch Shaikh. I do not take it in the light that the Chief Engineer is inclined to take. The honourable member the Chief Engineer wants to belittle the matter. I say we stand on our rights ; we have a right to demand inspection and it is our claim that if any subordinate of ours should trifle with us we must take steps to deal with him. It is not a matter for apology. I say in the name of justice, I must demand that a different treatment should be given to honourable members. (Laughter). It is not a matter for laughter. He is our servant, servant of the Council and of the Government ; if an honourable member goes to him and asks for particulars he is bound to supply them. An honourable member of this Council should not be dealt with in this fashion. I am very sorry the honourable member the Chief Engineer has taken it lightly. He has thereby exposed considerable ignorance about the matter ; he does not feel that the honourable member Mr. Mir Mahomed Baloch Shaikh felt keenly about it and therefore complained. He ought to have taken his complaint in the proper light ; instead of doing so, he pooch-poochs it. The honourable member is an Indian, and as an Indian he will stand on his rights ; if you do not recognise his rights he knows of course how to make you recognise them.

The Honourable the PRESIDENT : I notice four or five honourable members standing. We have only half an hour more before we adjourn. When we are pressed for time, members who get an opportunity to speak have really to limit their remarks.

Mr. JAIRAMDAS DOULATRAM : Is it not a fact that the two days' time for this demand will expire at 2 o'clock to-morrow ?

The Honourable the PRESIDENT : At three o'clock on Monday.

Mr. LALJI NARANJI (Indian Merchants' Chamber) : Sir, this is one of the two biggest financial projects attempted by any Government in any part of the world. The other big scheme of this Government has involved this presidency, on Government's own admission, in a loss of four crores twenty-one lakhs, and that has made this House nervous about the present scheme. I find that this scheme is wanted by several honourable members from Sind. I personally do not know whether it is required, but I take it that everybody wants it. I was surprised to see the Swarajist members to-day asking for an advisory committee, but after my experience of advisory committees I should certainly say that it is no use having an advisory committee with no specified powers. If any committee is to be appointed, that committee must be a committee with specified powers. If we have a mere advisory committee, the Member in charge will say that only such matters as will be put before the Committee will be considered by the committee. I say, therefore, that the powers of the committee should be specified.

Another important point is about financial control. Of course we have seen in the Public Accounts Committee that the Auditor General's report was that such control as was possible to be exercised by the Finance Department does exist. But there is another suggestion which I would like to make. We are all considering how money is spent on this scheme, but we ought at the same time to remember that similar projects have been started in other parts of India, namely, the Punjab and the Bhawalpur State, Bikaner State and they are at present putting their lands for sale in the market. I would like to have a statement from Government as to what their view is of the prospects of selling land with other competitors in the field. The Honourable the General Member will remember that his predecessor has given an undertaking during the course of the debate on the Lloyd Barrage, that the lands in the Barrage zone will be open for sale to Indians only. I would like the Honourable the General Member to make a statement about the prospects of selling land. Is it possible to sell some land now ? We are committed to the scheme, but we want to know what its prospects are and also whether it is economically and efficiently worked within strict estimates. I offer these remarks not with a view to criticise Government but with a view to help them. We all know that these are times of depression, and we all know that these are times of deflation of prices, and therefore I would ask Government, if they believe with me that the value of money has increased artificially and along with that the value of land at present is also increased. Is this not the best time to find purchasers on the present value of money and also much before other competitive Governments and Indian States offer them. It is always better if there are a number of

[Mr. Lalji Naranji]

the markets—supply them—one who always sells little too quick comes out best. A statement on this matter will be very much welcome on my part and on the part of this side of the House.

Mr. H. B. SHIVDASANI (Surat District) : Sir, when the honourable member the Chief Engineer got up I hoped that he would refute or explain the definite charges that had been made against him. It was stated that the cost on the distributaries had gone up by 75 to 100 per cent. He supplied us no explanation why the cost had gone up by 75 to 100 per cent. It was stated that at the commencement tenders were given to him that 1,000 cubic feet of stone would be supplied at the rate of Rs. 21 and that the cost to the department was Rs. 65, and that if to-day he invited tenders Government would have to pay Rs. 40 for 1,000 cubic feet. He has offered us no explanation why Government did not take advantage of the tender and why they allowed the cost to go up. The honourable mover of this cut also referred to several items on page 150, and he wanted to know why there was so much increase in the revised estimates. He referred to specific items like railways, cranes, etc., under which there were increases of several lakhs of rupees. The honourable member the Chief Engineer did not offer any explanation whatsoever. He only contented himself by saying that the cost had increased only by 3·3 per cent. These engineers when they deal with huge schemes do not tell how many lakhs they cost. A percentage of 3·3 on the cost of this scheme means 65 lakhs. It is not a small matter that the estimates should be exceeded by 65 lakhs. Moreover, as the honourable mover has pointed out this excess is in addition to the 2½ crores provided for unforeseen contingencies. Therefore the excess is not 65 lakhs, but over 3 crores. Yet he offered no explanation ; he merely told us that if the revised estimates were exceeded he would be surprised and disappointed. But I say it will not be much of a consolation to us or to the people of this presidency, who will have to pay for the mistakes of the engineers. He has further told us that the work has been delayed by 18 months and tried to congratulate himself on having saved the interest on capital investment of 170 lakhs of rupees. But I ask the House whether this is not an argument which could only be placed before children. The fact is there that you are behind the programme ; that cannot be denied. If you look at the budget, you will find that the expenditure every year exceeds two crores. On the contrary the cost is much above the estimates. When you are behind, your expenditure would naturally be less than the expenditure estimated for. It is very well for you to congratulate yourselves and say " We have saved in interest charges although on the contrary you will find that the scheme is delayed." Further we are told that Government do not yet know what the exact financial effect of this delay will be. If this is the way the scheme is going to be handled, then we regard the scheme with very grave apprehension. The department knew at least since a couple of years that they are going to be behind the programme, and if after two years they are not in a position to know what the financial effect of such a work of the scheme is going to be, we do not understand how they will properly

[Mr. H. E. Shirdasani]

Now, as regards bungalows for Officers and Buildings he has tried to make out his case by telling us that the investment was not large. It was only 58 lakhs of rupees. But I may say besides this 58 lakhs, there will be other charges on establishment, which will be about 25 per cent. ; there will be charges under tools and plant, drainage and electric lighting. Besides, these bungalows have been built at the commencement of the scheme and the total charge of interest may come to 30 lakhs. So, the total cost for these buildings will be much more, that is, about one crore of rupees. On looking at page 148 of the Blue Book I find that each of the bungalows of Superintending Engineers has cost 47 thousand rupees. If you add to this amount establishment charges, tools, plant, etc., it will come to about 60 thousand. And the cost of Executive Engineer's bungalow is shown as 35 thousand rupees. After adding to this other charges, it may increase still further. Further we are told that $\frac{1}{3}$ ths of these bungalows will be sold away. Then I ask is it not a waste of money ? To spend huge sums for housing their officers merely for a temporary period is sheer waste of money. We can further get an insight into the extravagance of Government that all bungalows are given rent free and the officers are not only going to have bungalows rent free, but they are given in addition to this Barrage allowance. And when questioned, Government tell us that Barrage allowances come up only to so much percentage of the cost of the scheme. I say Government spend lakhs and lakhs of rupees, because the scheme happens to be a big one, and they console themselves and us by saying that only one per cent. or half per cent. has been spent for a certain item. But if you go on spending like that, the position of poor cultivators becomes very hard.

I, therefore, submit that it is most desirable that not only we should have an Advisory Committee, but I should also like that the whole scheme may be reviewed by a competent Engineer like Sir Visvesvaraya. If an independent man like him looks into the whole scheme from the beginning, and sees what progress it has made, when it is likely to be finished, what it is likely to be and how saving can be effected, we shall get better advice ; Advisory Committee will not after all be able to do very much in this respect. We want experts and I think it would be very good if Government appoint some expert engineer, an engineer of the type of Sir Visvesvaraya, to go through the whole scheme. He must be an expert engineer and must be thoroughly straightforward, honest, reliable and independent. I think a review of the scheme by a person of that sort would greatly help Government and will enable them to reduce the cost of the scheme. If Government are satisfied that they have been as economical as possible and that they are as speedy in finishing it as they ought to be, they should not be afraid of having the scheme reviewed by an expert.

MOULVI RAFI UDDIN AHMAD (Central Division) : Sir, I would add only a few words to what has already been said in this House. I find that this part of the House (non-official side) has been reduced only to utter words of doleful vaticinations with respect to this matter.

[Moulvi Rafiuddin Ahmad]

I hope the Honourable the General Member will not think that it is a party question. He is incurring a very serious responsibility in respect of the Sukkur Barrage scheme, specially after his experience of similar schemes in Bombay which have been not only dead but damned. There is a general apprehension that the Sukkur Barrage scheme may also meet with the same fate. I do not care whether an Advisory Committee is appointed or some other steps are taken by the Honourable the General Member, but I do hope and trust that he will satisfy this House, and particularly this part of the House, that the measure which Government contemplate taking would promote confidence in public mind. We Indians are greatly interested in the fame and reputation of the Honourable the General Member, and his reputation as a public man is at stake. I hope he will rise to the occasion and will satisfy the general public.

Mr. NOOR MAHOMED (Hyderabad District): Mr. President, I will not take long time of the House, and will confine my remarks to one or two points only raised in the course of the debate. The honourable member Mr. Balubhai Desai, supported the idea of the appointment of an Advisory Committee and in doing so attempted to demolish the argument of my friend, Khan Bahadur Bhutto. He started his speech with the idea of the Advisory Committee but at once plunged himself in the Barrage buildings, out of which he only came out when he remembered the article in the *Sind Observer*. What he read from that article only suggested that the construction of the Barrage at Sukkur was a most difficult engineering problem and that if anything went wrong with the Barrage, the whole project would be a complete failure. Now, Sir, that is an argument not for the appointment of an Advisory Committee but rather for the appointment of an expert, a real expert who could be having worldwide experience of river irrigation. What would an Advisory Committee consisting of laymen be able to help in the construction of the Barrage at Sukkur? Not long ago the Honourable the General Member took the honourable members of this House for a visit of inspection round the Back Bay Works in a decorated train.

An Honourable MEMBER: Was it at personal expense?

Mr. NOOR MAHOMED: It was at personal expense, because the Honourable the General Member rounded it off with a good tea.

Honourable Mr. COWASJI JEHangIR: It was at my personal expense.

Mr. NOOR MAHOMED: Now, Sir, that visit gave us, laymen, no idea at all of the weak points of the Back Bay Scheme. An Advisory Committee for the Sukkur Barrage, at this stage, can do no useful work. What is most needed is an expert. What I want is that the honourable member the Chief Engineer for Sukkur Barrage should, in order to curtail his own responsibility, in order to have the benefit and guidance of an expert, himself insist on the Government that they should get from time to time or permanently the services of an expert to guide him and help him in the construction of the Barrage.

Khan Sahab A. M. MANSURI: Does the honourable member mean to convey that the Chief Engineer, Sukkur Barrage, is not an expert?

* Mr. NOOR MAHOMED : No, Sir. If that is the intelligence, I cannot help it. I was trying to extricate the Chief Engineer from a difficult position in which he is. But my honourable friend is not satisfied with it and I cannot help it. The barrage, Sir, is really a very intricate problem. We must have the best brains available, wherever they be available, for its construction.

Another point that I brought to the notice of the honourable House last year was that it is really high time that we made the Honourable the General Member to ask the Chief Engineer to remain at Sukkur. His headquarters at present are at Karachi, and Karachi is as far away from Sukkur as Bhusawal is from Bombay. The Chief Engineer of Sukkur Barrage controlling the construction of the barrage by staying at Karachi is to my mind a very risky problem, is simply unthinkable, and I think it is high time that we made the honourable member, the Chief Engineer, remain at Sukkur. There are besides four superintending engineers with him at Karachi. We should make these gentlemen also return to their divisions soon and not spend considerable time at Karachi, as they are doing now. No doubt, in doing all this, we may lose some money on the bungalows which are built for these officers at Karachi. But that is, after all, a small loss. It pains me to see these officers travelling down to Karachi, because, after all, it is only a pleasure trip to stay at Karachi, and I believe much of the work is being either neglected or ill-supervised on this account. In the last Council, I had put a question as to why these Superintending Engineers were staying at Karachi; and Government said that the climate of Upper Sind was very warm and better office work would be done at Karachi by the Superintending Engineers than at Larkana or other places. That is no argument for keeping these officers at Karachi when a big scheme like the Sukkur Barrage project is in execution. I therefore earnestly suggest to the Honourable the General Member the wisdom of changing the headquarters of the Chief Engineer from Karachi to Sukkur and of making the Superintending Engineers go back to their circles and to push on the work, without spending more time in the beautiful climate of Karachi.

Mr. HOOSEINBHOY ADULLABHOY LALLJEE (Bombay City) : Mr. President, it was not my desire to speak on this subject. But when I find that the members from Sind are against the appointment of an advisory committee, I wish to draw the attention of the Government and the honourable House to the valuable work that has been done by the advisory committee on the Back Bay and the Suburban area. My honourable friends must have read the voluminous report the Government has just published, and in and out of season Government during the Back Bay discussion in the Council have said that the advisory committee have been rendering very useful service. I am of opinion that an advisory committee without power is practically useless. But if we have not got any committee with executive powers, at least let us have an advisory committee. By that means we shall be able to have at least the views of sound commonsense. Most of the members of the advisory committee of the Back Bay Reclamation Scheme were laymen as my honourable friend from Sind likes to call them, but they have shown a lot of sound commonsense. Fortunately, we have got our Leader of

[Mr. Hooseinbhoy Abdullahhoy Lalljee]

the House as well as the General Member also gentlemen who cannot call themselves more than laymen. If the Sind members must consider these members as laymen and when they can control the Government finance and all these schemes, I do hope that my friends from Sind will agree that the members of the committee need not be all engineers, lawyers or doctors, and it is sufficient if most of them have at least sound commonsense and are business men. They are good enough for us and can give good advice to this House, on which we can very well rely.

Sir, so far as this scheme is concerned, I may tell you that I do not think that such grave errors as have happened on the Back Bay Reclamation Scheme will happen in this case, because although I am of opinion that the work entrusted to the Public Works Department does cost somewhat more still having been acquainted with public life, I do believe that there is some restriction in the work undertaken by the Public Works Department, and so far as I am concerned, I have got that confidence that we may not be ruined to anything like the extent we have been so far as the Back Bay and Suburban Schemes are concerned, if the work is done by the Public Works Department.

One thing which I ask Government benches to clear is that we have been told during several discussions that there is Kalur prevailing on some land and that we have been having an experimental farm to improve it and for which we provided 8 to 10 lakhs, and we should like to know from the Honourable the General Member the result of this experiment. They should have done this experiment before the scheme was launched and not after. After all I think we must take this matter also into serious consideration. Therefore, I should like the Honourable the General Member to enlighten us on that point.

Another thing is: What harm is there if he appoints an advisory committee? They can go round and see things and will be able to give some advice to the Government. They have done so and given some advice in the case of the Back Bay scheme and Government have benefited therefrom. When they are launching, as my honourable friend Mr. Lalji Naranji said, one of the largest schemes that any Government in the world has undertaken, I think the Honourable the General Member must welcome at least an advisory committee if not an executive committee. With these words, I hope the Honourable the General Member will consider all these points and satisfy the House.

Mr. K. S. FIRODEA (Ahmednagar District): Mr. President, I had no wish to take part in this discussion about the Sukkur Barrage. But after I have heard the debate for the last two days, I think it advisable to sound a note of warning. I have heard the arguments put forward on the Government benches, and, to put them in a nutshell, they come to this: We have examined the scheme; we have looked into each and every minute detail; we are satisfied that it is going to be a success. Therefore, believe it to be a success. This is, in short, the argument of the Government Members. The experience, Sir, that we have in the Back Bay Scheme shows us that we cannot so lightly take up the assurances that are given by the Government benches. My submission

[Mr. K. S. Firodea]

is that had it not been for the rather dire experience we have had in the Back Bay Scheme and the Development Scheme, we would have taken the assurances from the Government benches as they are given. I mean no disparagement to the honourable member the Chief Engineer or to the Honourable the General Member. But we simply want to assure ourselves that we are not again landing ourselves into grave trouble by hurrying this scheme through or by going on with the scheme without the utmost care. If we take up the reports of the last four or five years, what do we find? We find every time the members on this side asking Government to say what would happen to this Back Bay Scheme, and every time the assurances coming from Government. "You need not be afraid." Then, even if a committee is appointed, our experience is that everything ends in a fiasco, after a great amount of money gets wasted. So my submission is that let us not get this experience after the money is lost. Time is not yet past when we can get the whole scheme examined by experts. We have got several experienced men in this country who can go into the whole scheme from the beginning, let them go into the plans and let them look also into the money that has been so far expended, and if those men are able to satisfy us that the scheme is not going to land us into any serious difficulties, let us go on with it or else let us drop it altogether. My request to the Government benches is that in their own interests they should accept the suggestion that a committee should be appointed. If they do not do so, I would request the non-official side of this House not to be a party to the sanctioning of a single farthing. We can then at least show to the public that we had sounded a note of warning to Government but that Government did not heed it. We shall then have the satisfaction of feeling that we have done our duty and given a warning to Government in good time but without avail.

The Honourable the PRESIDENT : I think there is no one left unheard on the non-official side, and as it is now 7 o'clock I will adjourn the House till 2 o'clock on Monday, the 7th March 1927, when the honourable mover will reply and then the Honourable the General Member will have his say.

Mr. LALJI NARANJI : I would request you, Sir, to take up Development on Tuesday because Monday does not suit either Sir Joseph Kay or myself.

The Honourable Sir CHUNILAL MEHTA : Very well, Sir. As usual we are always prepared to meet the convenience of honourable members and we shall take excise on Monday after the Sukkur Barrage is finished and then go on with Development on Tuesday and Wednesday. We shall continue Excise afterwards if necessary.

MOULVI RAFIUDDIN AHMAD (Central Division) : Sir, I wish to draw your attention to the fact that the Ramzan begins from to-morrow and for the convenience of Mahomedan members of this House I am sure you will arrange the time of the House as was done last year. I think the House should sit from 1 to 6.

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